STATE OF LOUISIANA **NO. _____ DIV ____**

42nd **JUDICIAL DISTRICT COURT**

VERSUS

PARISH OF DESOTO

_____ **STATE OF LOUISIANA**

MOTION FOR EXPUNGEMENT FOR MISDEMEANOR CONVICTION FOR A FIRST OFFENSE POSSESSION OF MARIJUANA

NOW INTO COURT comes mover, who provides the court with the following information in connection with this request:

I. DEFENDANT INFORMATION

NAME: _____
(Last, First, MI)

DOB: _____/_____/_____ (MM/DD/YYYY)

GENDER _____ Female _____Male

SSN (last 4 digits): XXX-XX-_____

RACE: _____

DRIVER LIC.# _____

ARRESTING AGENCY: _____

SID# (if available): _____

ARREST NUMBER (ATN): _____

AGENCY ITEM NO.: _____

Mover is entitled to expunge the record of his arrest/conviction pursuant to Louisiana Code of Criminal Procedure Article 971 et seq. and states the following in support:

II. MISDEMEANOR CONVICTION FOR A FIRST OFFENSE POSSESSION OF MARIJUANA

1. Mover was convicted on _____/_____/_____ (MM/DD/YYYY)

The Mover prays that if there is no objection timely filed by the arresting law enforcement agency, the district attorney's office , or the Louisiana Bureau of Criminal Identification and Information, that an order be issued herein ordering the expungement of the record of arrest and/or conviction set forth above, including all photographs, fingerprints, disposition, or any other such information, which record shall be confidential and no longer considered a public record, nor be made available to other persons, except a prosecutor, member of a law enforcement agency, or a judge who may request such information in writing, certifying that such request is for the purpose of prosecuting, investigating, or enforcing the criminal law, for the purpose of any other statutorily defined law enforcement or administrative duties, or for the purpose of the requirements of sex offender registration and notification pursuant to the provisions of R.S. 15:541 et seq. or as an order of this court to any other person for good cause shown, or as otherwise authorized by law.

If an "Affidavit of No Opposition" by each agency named herein is attached hereto and made a part hereof, defendant requests that no contradictory hearing be required, and the motion be granted ex parte.

Respectfully submitted,

_____
Signature of Attorney for Mover/Defendant

_____
Attorney for Mover/Defendant Name

_____
Attorney's Bar Roll No.

_____
Address

_____
City, State, ZIP Code

_____
Telephone Number

If not represented by counsel:

_____
Signature of Mover/Defendant

_____
Mover/Defendant Name

_____
Address

_____
City, State, ZIP Code

_____
Telephone Number

STATE OF LOUISIANA

VERSUS

_____

NO. _____ DIV ____

_____42nd JUDICIAL DISTRICT COURT

PARISH OF DESOTO

STATE OF LOUISIANA

AFFIDAVIT OF RESPONSE

Pursuant to Louisiana Code of Criminal Procedure Article 980, the District Attorney for the Parish of DESOTO acknowledges the following:

☐ **No Opposition.** Respondent respectfully consents to waiver of the contradictory hearing.

☐ **Opposition to the Motion of Expungement/Interim Expungement with Reasons.** Respondent respectfully requests a contradictory hearing.

OR

Pursuant to Louisiana Code of Criminal Procedure Article 980, the Louisiana Bureau of Criminal Identification and Information acknowledges the following:

☐ **No Opposition.** Respondent respectfully consents to waiver of the contradictory hearing.

☐ **Opposition to the Motion of Expungement/Interim Expungement with Reasons.** Respondent respectfully requests a contradictory hearing.

OR

Pursuant to Louisiana Code of Criminal Procedure Article 980, the arresting law enforcement agency _____acknowledges the following:

☐ **No Opposition.** Respondent respectfully consents to waiver of the contradictory hearing.

☐ **Opposition to the Motion of Expungement/Interim Expungement with Reasons.** Respondent respectfully requests a contradictory hearing.

Respectfully submitted,

_____
Signature of District Attorney

_____
Print Name

_____
Signature of Louisiana Bureau of Criminal Identification and Information

_____
Print Name

_____
Signature of the Arresting Law Enforcement Agency

_____
Print Name

STATE OF LOUISIANA

VERSUS

_____

NO. _____ DIV ____

42nd **JUDICIAL DISTRICT COURT**

PARISH OF DESOTO

STATE OF LOUISIANA

RULE TO SHOW CAUSE

IT IS HEREBY ORDERED that the District Attorney show cause on the_____ day of _____, 20 _____, at _____o'clock __m why the foregoing motion should not be granted.

THUS ORDERED AND SIGNED this ____ day of _____,20 ____ at _____, Louisiana, _____.

_____
JUDGE

_____
Print Name

PLEASE SERVE:

1. District Attorney: _____
2. Attorney for Defendant and/or Defendant _____

STATE OF LOUISIANA **NO. _____ DIV ____**

42nd
_____ JUDICIAL DISTRICT COURT

VERSUS

PARISH OF DESOTO

_____ **STATE OF LOUISIANA**

ORDER FOR EXPUNGEMENT FOR MISDEMEANOR CONVICTION FOR A FIRST OFFENSE POSSESSION OF MARIJUANA

Considering the Motion for Expungement

☐ Affidavits of No Opposition filed,

IT IS ORDERED, ADJUDGED AND DECREED

☐ **THE MOTION IS HEREBY GRANTED** for a Misdemeanor Conviction for a First Offense Possession of Marijuana and all agencies are ordered to expunge the record of arrest/conviction and any photographs, fingerprints, or any other such information of any kind maintained in connection with the Arrest/Conviction in the above captioned matter, which record shall be confidential and no longer considered a public record, nor be available to other persons except a prosecutor, member of a law enforcement agency, or a judge who may request such information in writing certifying that such request is for the purpose of prosecuting, investigating, or enforcing the criminal law, for the purpose of any other statutorily defined law enforcement or administrative duties, or for the purpose of the requirements of sex offender registration and notification pursuant to the provisions of R.S. 15:541, et seq. or upon an order of this Court to any other person for good cause shown, or as otherwise authorized by law.

NAME: _____ _____ _____
(Last Name) *(First Name)* *(MI)*

DOB: _____/_____/_____ (MM/DD/YYYY)

GENDER: _____ Female _____Male

SSN (last 4 digits): XXX-XX-_____

RACE: _____

DRIVER LIC.#: _____

ARRESTING AGENCY: _____

SID# (if available): _____

ARREST NUMBER (ATN): _____

AGENCY ITEM NUMBER: _____

ARREST DATE: _____/_____/_____ (MM/DD/YYYY)

THUS ORDERED AND SIGNED this _____ day of _____, 20 ____ at _____, Louisiana.

_____
JUDGE

_____
Print Name

PLEASE SERVE THE FOLLOWING:

1. District Attorney:_____
(Name and Address)

2. Louisiana Bureau of Criminal Identification and Information: Louisiana State Police, Superintendent of Records, 7919 Independence Blvd., Baton Rouge, LA 70806

3. Arresting Agency:_____
(Name and Address)

4. Sheriff:_____
(Name and Address)

5. Attorney for Defendant (or defendant): _____

_____
(Name and Address)

6. Clerk of Court:_____
(Name and Address)

CERTIFICATE OF SERVICE

Pursuant to LA CCrP Article 979, I hereby certify that I have served the foregoing Order of Expungement to the named entities as listed above on this _____day of _____, 20_____, by:

Placing in U.S. Mail

Electronic Transmission

_____
Deputy Clerk of Court

Parish of DESOTO