

STATE OF LOUISIANA

14TH JUDICIAL DISTRICT COURT

VS. NO. _____

PARISH OF CALCASIEU

NAME _____

STATE OF LOUISIANA

FILED _____

DEPUTY CLERK OF COURT

MOTION OF JUDGMENT OF ACQUITTAL AND FOR EXPUNGEMENT

NOW INTO COURT, COMES _____, who

respectfully informs this Honorable Court that:

1.

He/She is a resident of the State of Louisiana and desires to avail himself/herself of the provisions Code of Criminal Procedure 893/894 of LSA R.S. 44:9.

2.

He/She was arrested on _____ by the _____
_____ for the offense of _____
_____ a
violation of LSA R.S. _____ which is a felony/misdemeanor. This charge
occurred in Calcasieu Parish
and is within the jurisdiction of this Honorable Court.

3.

This case was disposed of on _____ by way of
guilty plea to the charge of _____
Wherein the imposition of sentence was deferred pursuant to Code of Criminal Procedure
Article 893/894 and the defendant was sentenced to _____
_____ for the period of _____.

As reference with the attached copy of this dates sentencing minutes.

4.

Defendant has successfully completed said probation and is entitled to an order of the Court setting aside the conviction and dismissing the prosecution, with said dismissal having the same effect as an acquittal, and with all law enforcement agencies having a record thereof to enter said acquittal on their records, whether on microfilm, computer card or tape or any other photographic, electronic or mechanical method of storing data to expunge and seal any record of said arrest, photograph, fingerprint, or any other information of any and all kinds of description; further, to order all custodians of such records to file a sworn affidavit with this Honorable Court to the effect that such records have been expunged and sealed, and that no references or notations have been retained in the agency's central depository which will indicate that any record was ever on file with said agency, with a copy of said affidavit held by said agency under lock and key for internal record keeping purposes only to preserve the integrity of said agency's files and not for any investigative purpose and which shall not constitute a public record except as provided by law for the Department of Public Safety, State of Louisiana.

Respectfully submitted,

(Signature)

Address

Date of Birth

City, State, Zip

Social Security Number

Phone

Race/Gender

Drivers License Number (required for DWI)

CERTIFICATE OF SERVICE

I hereby certify that a copy of this motion has been personally served on the Office of the Calcasieu Parish District Attorney on this _____ day of _____, 2004.

SERVICE INSTRUCTIONS:

Please serve the following agencies:

- Louisiana State Police (Fee of \$125.00, money order or cashiers check only)
- Federal Bureau of Investigation
- Calcasieu Parish District Attorney
- Calcasieu Parish Sheriff Department
- Lake Charles Police Department
- Department of Motor Vehicles (if applicable, include \$50.00 money order/cashiers check)

STATE OF LOUISIANA

14TH JUDICIAL DISTRICT COURT

VS. NO. _____

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DEPUTY CLERK OF COURT

**STATE'S ANSWER TO MOTION FOR JUDGMENT OF ACQUITTAL AND
EXPUNGEMENT**

NOW INTO COURT COMES THE State of Louisiana, through RICK BRYANT,
CALCASIEU PARISH DISTRICT ATTORNEY, represented herein by the undersigned Assistant
District Attorney, who respectfully informs this Honorable Court that the foregoing Motion for
Acquittal and Expungement has been examined and that the mover is entitled to the relief
prayed for and the State has no objection to the same.

Lake Charles, Louisiana this _____ day of _____ 2004.

Assistant District Attorney

STATE OF LOUISIANA

14TH JUDICIAL DISTRICT COURT

VS. NO. _____

PARISH OF CALCASIEU

NAME _____

STATE OF LOUISIANA

FILED _____

DEPUTY CLERK OF COURT

JUDGEMENT FOR ACQUITTAL AND EXPUNGEMENT

Considering the foregoing Motion for Acquittal and Expungement, the law and the evidence being in favor of the relief prayed for;

IT IS ORDERED, ADJUDGED AND DECREED that a judgment be entered setting aside the conviction and dismissing the prosecution and entering a Judgment of Acquittal and that all law enforcement agencies be ordered to expunge and seal any and all records of arrests, photographs, fingerprints, or any other information of any kind or descriptions whatsoever, and including all manner or form of data recordation, whether microfilm, computer card or tape, or any other photographic, electronic or mechanical method of storing data, of _____
_____ for the offense of _____
occurring on or about _____.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the custodian of records of each and every law enforcement office be ordered to file a sworn affidavit with the Honorable Court deposing and verifying that any and all records have been expunged and sealed, that nor notations or references have been retained whatsoever, including any retention in the agency's central repository which would or could indicate or infer that any record ever existed in any way referring to the arrest herein whatsoever and that a copy of the affidavit being retained by the agency or office is not maintained as a public record and is kept under lock and key for preservation of the integrity of its files and for internal record keeping purposes only and that it shall not be used for any investigative purpose of any manner, type or description whatsoever.

THUS DONE AND SIGNED IN Chambers at Lake Charles, Louisiana this

_____ day of _____, 20_____.

DISTRICT JUDGE