

STATE OF NORTH CAROLINA

File No.

Microfilm No(s). (Official Use Only)

_____ County

In The General Court Of Justice
 District Superior Court Division**STATE VERSUS**

Name And Address Of Defendant/Petitioner (Type Or Print)

**PETITION AND ORDER OF EXPUNCTION
OF MISDEMEANOR LARCENY CONVICTION
UNDER G.S. 15A-145(d1)**

G.S. 15A-145(d1)

Drivers License No.

State

Race

Sex

Date Of Birth

Social Security No.

Name And Address Of Arresting Agency

Name And Address Of Defendant's Attorney For Expunction Petition

File Nos.

Date Of
Arrest

Offense Description

Date Of
OffenseDate Of
DispositionDate Of
Conviction**PETITION/MOTION TO EXPUNGE**

I hereby move for an expungement pursuant to G.S. 15A-145(d1) and certify as follows:

1. I was convicted of misdemeanor larceny pursuant to G.S. 14-72(a) in the file number(s) shown above.
2. The conviction(s) above occurred more than fifteen (15) years prior to the filing of this petition.
3. I have not previously been convicted of any felony.
4. Those affidavits and statements required by G.S. 15A-145(d1) are attached and incorporated herein.
5. I have served a copy of this petition on the District Attorney.

Date

Signature

 Defendant Attorney For Defendant

Service of this petition is accepted by the District Attorney pursuant to statute.

Date

Signature Of District Attorney

REQUEST BY JUDGE**To The State Bureau Of Investigation, Attn: CIIS Expungement Unit, P.O. Box 29500, Raleigh, NC 27626:**

Please prepare, certify on the reverse side, and attach to this Request any Criminal History Record Information (CHRI) for the petitioner. Then forward this Request with CHRI attached, confidentially to: Records Officer, Administrative Office of the Courts.

To The Records Officer, Administrative Office of the Courts, P.O. Box 2448, Raleigh, NC 27602:

Complete the report on the reverse side and return it, along with the information attached by the SBI, to the Clerk of Superior Court.

Date

Name Of Presiding Judge (Type Or Print)

Signature Of Presiding Judge

CRIMINAL HISTORY RECORD INFORMATION

To Any Presiding Judge In The Above Named County And Court: (Confidential)

I have conducted a search of the criminal records of the North Carolina State Bureau of Investigation and the Federal Bureau of Investigation, based on the information provided, which has not been verified by fingerprint comparisons, and certify that

- there is no criminal record for the defendant other than the offense(s) identified on the reverse of this form.
- the Criminal History Record Information which is attached is a true and accurate statement of all information contained in the criminal records of the State and Federal Bureaus of Investigation for the defendant identified on the reverse side of this form.

Date	SID No.	Signature Of SBI Official
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REPORT BY ADMINISTRATIVE OFFICE OF THE COURTS

To Any Presiding Judge In The Above Named County And Court: (Confidential)

I have searched the confidential file which contains the names of all persons granted an expunction or dismissal and discharge in North Carolina and certify that

- there is no record under the name of the defendant of any expunction under any statute of North Carolina.
- there is a record under the name of the defendant identified on the reverse side and it is attached to this form.

Date	Signature Of Records Officer
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FINDINGS OF FACT

After a hearing on the petition/motion the Court makes the following findings of fact:

1. Petitioner was convicted of misdemeanor larceny pursuant to G.S. 14-72(a) in the file number(s) shown on Side One.
2. The conviction(s) identified on Side One occurred more than ten (10) years prior to the filing of this petition.
3. Petitioner has remained of good behavior and been free of conviction of any felony or misdemeanor, other than a traffic violation, during the 10-year period preceding the filing of this petition.
4. The district attorney has been served with a copy of this petition at least ten (10) days prior to this date and has received notice of the hearing and has no objection to this petition. _____ (Prosecutor's Initials)
5. Petitioner has no outstanding restitution orders or civil judgments representing amounts ordered for restitution.
6. Petitioner has provided the affidavits required by G.S. 15A-145(d1).
7. Other:
8. Based on the above findings, the petitioner is is not eligible for an expungement under G.S. 15A-145(d1).
If not eligible, it is because:

ORDER

Therefore, the Court hereby ORDERS:

- 1. The petition is granted and it is ordered that all entries relating to the defendant/petitioner's apprehension, charge, trial and conviction shall be expunged from the records of the court and all law-enforcement agencies bearing record of the same. It is further ordered that the clerk is to forward a certified copy of this order to the AOC and to the sheriff, chief of police or other arresting agency identified on the reverse.
- 2. The petition is denied.

Date	Name Of Presiding Judge (Type Or Print)	Signature Of Presiding Judge
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CERTIFICATION BY CLERK

I certify that this Order is a true and complete copy of the original in this case.

Date	Name (Type Or Print)	Signature	<input type="checkbox"/> Dep. CSC <input type="checkbox"/> Clerk Of Superior Court <input type="checkbox"/> Asst CSC
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NOTE TO DEFENDANT/PETITIONER: The expungement of your case information from the court's records does not guarantee your case information will be expunged from other sources. Private companies routinely acquire copies of criminal records to sell. Once the record is removed from the court system it may still be available for sale by the private companies. When this happens neither the Court nor the AOC can require the companies to stop selling the information. One course of action you might take is to send the company a certified record check from the clerk's office showing you have no record. Then request the company correct the inaccurate record in its database.