

STATE OF LOUISIANA

DOCKET #: _____

IN THE INTEREST OF

JUVENILE COURT

PARISH OF _____

Filed: _____

Deputy Clerk: _____

LOUISIANA CHILDREN'S CODE ARTICLE 925
MOTION FOR EXPUNGEMENT AND SEALING

NOW INTO COURT, comes _____

in proper person, through their guardian or through undersigned counsel, who herein moves this Honorable Court:

(1) To order the expungement and sealing of all records and reports, including but not limited to the record of arrest and order of disposition concerning the below-described conduct or condition, and directing all officials, agencies, institutions, boards, and systems, including their employees, agents, consultants, and special committees, to expunge and seal any record, in any form, concerning the arrest of mover, and any other photographic, fingerprint, DNA, or any other information of any and all kinds or descriptions; and

(2) To direct each agency and law enforcement office having any such records, including but not limited to the above named entities, to file a sworn affidavit with the clerk of court to the effect that such records have been expunged and sealed and that no notation or reference has been retained in any central depository which could or might lead to the inference that the expunged and sealed record was ever on file with that agency or law enforcement office, except as otherwise specifically provided by law.

I.

Full Name of Mover: _____

SEX: Male Female

Social Security #: _____ - _____ - _____

Race/Ethnicity: _____ Date of Birth: ____/____/____

Street Address: _____ Apt. #: _____

City: _____ State: _____ Zip: _____

NOTE: A **separate** page must be completed for **EACH** charge expungement and sealing is requested. Failure to provide ALL the information requested may result in a denial of the expungement.

II.

Offense Report #: _____ Date of Arrest: ____/____/____

Offense charged: _____

Arresting Agency: _____

City/ Parish of Arrest: _____

III.

Action Taken: (Check the appropriate action and insert date)

Charges not filed

Charges refused on ____/____/____

Informal Adjustment Agreement completed on ____/____/____

Adjudicated on ____/____/____

Dismissed on ____/____/____

Continued without date on ____/____/____

IV.

Court Docket #: _____ ; Complaint #: _____

V.

Authority for motion: (Check one)

This matter resulted in a delinquency or Families in Need of Services (FINS) adjudication.

This matter DID NOT result in an adjudication.

AND the court which had exercised juvenile jurisdiction has ceased to exercise such in accordance with Children's Code Article 313.

AND (Check one)

the adjudication was NOT for murder, manslaughter, an offense requiring registration as a sex offender under R.S. 15:542, kidnapping, or armed robbery OR

the adjudication WAS for murder, manslaughter, an offense requiring registration as a sex offender under R.S. 15:542, kidnapping, or armed robbery but at least five years has passed since the most recent judgment against the mover;

AND mover has no adult felony convictions and no adult convictions for a misdemeanor against a Person involving a firearm.

AND mover has no pending indictment or bill of information against him.

WHEREFORE, mover prays that after due proceedings are had, there be an order herein in favor of mover, ordering the clerk of court and all other agencies, offices or organizations to expunge and seal their records or reports concerning the conduct or condition of mover as a child as more fully described herein.

Respectfully submitted,

Signature of Mover (or Guardian): _____

Address: _____

Phone: _____ Email Address: _____

STATE OF LOUISIANA

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ORDER

CONSIDERING the above and foregoing Motion for Expungement:

_____ GRANTED; The Motion for Expungement and Sealing and the evidence adduced as to the following described matter, and as to the following described conduct or conditions is granted:

Items #: _____ Date of Arrest: _____

Arresting Agencies: _____

Offense(s) Charged: _____

IT IS ORDERED that the Clerk of Court expunge and seal all records and reports, in any medium, including but not limited to pleadings, exhibits, reports, minute entries, correspondence, and all other documents. The Court may maintain a confidential record of the fact of an adjudication, which may be released only upon written motion of a court exercising criminal jurisdiction over the mover herein, and then, only for purposes authorized by the Code of Criminal Procedure.

IT IS FURTHER ORDERED that all officials, agencies, institutions, boards, systems, and law enforcement officer and their employees, agents, and consultants, expunge and seal all records and reports, in any form, concerning the above-described matter, and any other photographic, fingerprint, DNA, or any other information of any and all kinds and descriptions. The custodian of records and reports of the agency or office may maintain a copy of this order, however; the custodian shall not disclose to anyone the fact that an order is maintained or that the expunged and sealed records or reports previously existed, except upon written order of the Court.

IT IS FURTHER ORDERED that any and all costs or fees assessed by any department, agency, or office for compliance with this Order are WAIVED,

IT IS FURTHER ORDERED that each agency and law enforcement office herein served, and having any records or reports of the conduct or condition, file a sworn affidavit with the Clerk of Court to the effect that the records and reports have been expunged and sealed and that no notation or references have been retained in any central depository which could or might lead to the inference that any report or record was on file with the agency or law enforcement office served, which affidavit shall be filed with the clerk of court within 45 days after service of this order.

OR

_____ IT IS ORDERED that a contradictory hearing be and is hereby set for the _____ day of _____, 20____ at _____ a.m. / p.m..

Signed at _____, Louisiana this _____ day of _____, 20____.

JUDGE

STATE OF LOUISIANA

DOCKET #: _____

IN THE INTEREST OF

JUVENILE COURT

PARISH OF _____

LOUISIANA CHILDREN'S CODE ARTICLE 925
AFFIDAVIT OF RESPONSE

Pursuant to Children's Code Article 919, the Respondent agency or office, _____
_____, acknowledges the following:

No Opposition. Respondent has no opposition to the Motion and respectfully consents to the waiver of the contradictory hearing.

Opposition to the Motion of Expungement and Sealing with Reasons. Respondent respectfully requests a contradictory hearing.

As grounds for its objection, the Respondent asserts as follows:

The court is still exercising jurisdiction.

The adjudicated offense was for murder, manslaughter, an offense requiring registration of a sex offender under R.S. 15:542, kidnapping, or armed robbery and therefore, a hearing is required by law.

The adjudication was for a felony offense, and the applicant has an adult felony conviction.

The adjudication was for a felony offense, and the applicant has an adult conviction for a misdemeanor against a person involving a firearm.

The adjudication was for a felony offense, and the applicant has a pending indictment or bill of information filed against him /her.

Respectfully submitted,

Signature of Attorney: _____

Name of Respondent: _____

Address: _____

Phone: _____ Email: _____

SERVICE INSTRUCTIONS: Please serve the agencies selected below.

- Bureau of Identification and Information
Attention: Expungements
7919 Independence Blvd.
Baton Rouge, LA 70806

- Office of Juvenile Justice
Attention: Otha "Curtis" Nelson, Jr.
Deputy Secretary of Youth Services
7919 Independence Blvd
Baton Rouge, LA 70806

- District Attorney, 22nd Judicial District
Attention: Warren Montgomery
701 N. Columbia Street
Covington, LA 70433

SELECT ONE:

- St. Tammany Parish Clerk of Court
Attention: Hon. Melissa Henry
701 N. Columbia Street
Covington, LA 70433
- Washington Parish Clerk of Court
Attention: Hon. Johnny Crain, Jr.
P. O. Box 607
Franklinton, LA 70438

SELECT ALL LAW ENFORCEMENT AGENCIES INVOLVED:

- Washington Parish Sheriff's Office
Hon. Randy Seal
P.O. Box 677
Franklinton, LA 70438
- Pearl River Chief of Police
Hon. Johnny Jennings
39470 Willis Alley
Pearl River, LA 70452
- St. Tammany Parish Sheriff's Office
Hon. Randy Smith
P. O. Box 1120
Covington, LA 70434
- Mandeville Chief of Police
Hon. Gerald Sticker
1870 Hwy 190
Mandeville, LA 70448
- Covington Chief of Police
Hon. Michael Ferrell
609 N. Columbia Street
Covington, LA 70433
- Folsom Chief of Police
Hon. Ronnie Killingsworth
82341 Railroad Avenue
Folsom, LA 70437
- Slidell Chief of Police
Hon. Randy Fandel
2112 Sgt. Alfred Drive
Slidell, LA 70458
- Franklinton Chief of Police
Hon. Olander Smith
805 Pearl Street
Franklinton, LA 70438
- Madisonville Chief of Police
Hon. David Smith
403 Francis Street
Madisonville, LA 70447
- Bogalusa Chief of Police
Hon. Kendall Bullen
214 Arkansas Avenue
Bogalusa, LA 70427