

AOC-496
Rev. 7-16
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Commonwealth of Kentucky
Court of Justice www.courts.ky.gov
KRS 431.078; 218A.275(8);
218A.276(8)



EXPUNGEMENT ORDER
(FOR MISDEMEANOR, VIOLATION, OR
TRAFFIC INFRACTION CONVICTION)

Case No. _____
Court _____
County _____
Division _____

COMMONWEALTH OF KENTUCKY
VS.

PLAINTIFF

_____ NAME

DEFENDANT

_____ ADDRESS

() _____ PHONE NUMBER

Jail ID Number _____ (optional)

Defendant's Birthdate: _____ Defendant's SSN: _____ Arrest Date: _____

FINDINGS OF FACT

The Court, having held a hearing on Defendant's Petition for Expungement and being sufficiently advised, **FINDS:**

1. Defendant has moved this Court to expunge the above-styled case wherein Defendant was convicted of the following misdemeanor(s), violation(s), or traffic infraction(s):

CHARGE: _____

CHARGE: _____

CHARGE: _____

CHARGE: _____

CHARGE: _____

CHARGE: _____

- 2. The above-stated offense(s) is/are not a sex offense(s) or an offense(s) committed against a child;
- 3. Defendant has not been convicted of a felony or misdemeanor in the five (5) years prior to the filing of this Petition;
- 4. No proceeding concerning a felony or misdemeanor is pending or being instituted against Defendant;
- 5. The offense(s) is/are not subject to enhancement for a second or subsequent offense or the time for such enhancement has expired; AND
- 6. The petition is filed no sooner than five (5) years after completion of Defendant's sentence or five (5) years after successful completion of the defendant's probation, whichever is later; **OR** involves Defendant's 1st conviction for possession of controlled substances voided under KRS 218A.275(8); **OR** involves a conviction for possession of marijuana or synthetic drugs or salvia voided under KRS 218A.276(8).

7. Other:

THEREFORE, IT IS HEREBY ORDERED:

1. The petition is **DENIED**. (Doc Code: OEXD) **The clerk shall refund \$50.00 of the fee(s) paid for expungement.**
2. The petition is **GRANTED**. (Doc Code: OEXG)
 - a. The above offense(s) is/are **expunged** from the court's records. Upon entry of this order, the proceedings in the case(s) shall be deemed never to have occurred. Defendant and the Court may properly reply no record exists with respect to Defendant upon any inquiry and Defendant shall not have to disclose the fact of the record or any matter relating thereto on any application for employment, credit, or other purpose.
 - b. The **Kentucky State Police and other following agencies are hereby ordered to expunge** any records in their custody regarding the above-named Defendant and offense(s):

Date: _____, 2_____. **Judge** _____

AGENCY CERTIFICATION

_____, an above-named agency ordered to expunge records in our custody, hereby certifies that the **agency has no records** in its custody relating to the Defendant/matter OR the **agency has completed the expungement** as directed by this Court.

Date: _____, 2_____. **Agency Records Custodian:** _____

Distribution: Original - Court File

Copies: Defendant/Attorney; Kentucky State Police 1266 Louisville Road, Frankfort, KY 40601; Named Agencies