

IN THE CIRCUIT/COUNTY COURT
OF THE SEVENTH JUDICIAL CIRCUIT
IN AND FOR VOLUSIA COUNTY, FLORIDA

Case No.: _____

STATE OF FLORIDA

Division: _____

Plaintiff,

vs.

Defendant/Petitioner

State of Florida
County of Volusia

**ORDER TO EXPUNGE RECORDS UNDER
SECTION 943.0585, FLORIDA STATUTES,
AND FLORIDA RULE OF CRIMINAL PROCEDURE 3.692**

THIS CAUSE having come on to be heard before me this date on a petition to expunge certain records of the petitioner's arrest on _____ (date) by _____ (arresting agency), for charges _____, and the court having heard argument of counsel and being otherwise fully advised in the premises, the Court hereby finds the following:

1. The petitioner has never previously been adjudicated guilty of a criminal offense or a comparable ordinance violation nor adjudicated delinquent for committing a felony or a misdemeanor specified in section 943.051 (3)(b), Florida Statutes.
2. The petitioner was not adjudicated guilty of nor adjudicated delinquent for committing any of the acts stemming from the arrest or criminal activity to which this expunction petition pertains.
3. The petitioner has not secured a prior records expunction or sealing under section 943.0585 or 943.059, Florida Statutes, or under former section 893.14, 901.33, or 943.058, Florida Statutes, or the record is otherwise eligible for expunction because it has been sealed for at least 10 years.
4. This record has either been sealed for at least 10 years; or no indictment, information, or other charging document was ever filed in this case against the petitioner; or an indictment, information, or other charging document filed against the defendant was dismissed by the prosecutor or the court.
5. A Certificate of Eligibility issued by the Florida Department of Law Enforcement accompanied the petition for expunction of non-judicial criminal history records, whereupon it is

ORDERED AND ADJUDGED that the petition to expunge is granted. All court records pertaining to the above-styled case shall be expunged in accordance with the procedures set forth in Florida Rule of Criminal Procedure 3.692; and it is further

ORDERED AND ADJUDGED that the Clerk of this Court shall forward a certified copy of this order to the State Attorney, Florida Department of Law Enforcement, _____ (*arresting agency*), and the Sheriff of Volusia County, who will comply with the procedures set forth in section 943.0585, Florida Statutes, and appropriate regulations of the Florida Department of Law Enforcement, and who will further forward a copy of this order to any agency that their records reflect has received the instant criminal history record information: and it is further

ORDERED AND ADJUDGED that the _____ (*Arresting Agency*) shall expunge all information concerning indicia of arrest or criminal history record information regarding the arrest or alleged criminal activity to which this petition pertains in accordance with the procedures set for in section 943.0585, Florida Statutes, and Florida Rule of Criminal Procedure 3.692.

All costs of certified copies herein are to be borne by the defendant/petitioner.

DONE AND ORDERED in Chambers at Volusia County, Florida on the _____ day of _____, 20 ____

Judge

CC: Defendant/Petitioner
Arresting Agency
Office of the State Attorney
Florida Department of Law Enforcement