

EXPUNGEMENT ORDER

Commonwealth of Virginia
VA. CODE § 19.2-392.2

Case No.

..... Circuit Court
CITY OR COUNTY

.....
NAME OF PETITIONER SUBJECT OF WRIT OF ACTUAL INNOCENCE
 PERSON GRANTED AN ABSOLUTE PARDON

The petitioner is seeking relief pursuant to subsection A of Va. Code § 19.2-392.2 because the petitioner was charged with the commission of the following crime(s) or offense(s) , AND

has been acquitted of the following charge(s)
AND/OR

a nolle prosequi of the following charge(s) has been taken or the charge(s) have been otherwise dismissed, including dismissal by accord and satisfaction pursuant to Va. Code § 19.2-151, or an original charge that was reduced or a charge that is dismissed after a plea or stipulation of the facts that would justify a finding of guilt pursuant to § 19.2-298.02,

After receiving the criminal history record information from the Central Criminal Records Exchange (CCRE) and

conducting a hearing on the petition relating to the following charges

AND/OR

waiving a hearing on the petition for expungement of the following misdemeanor charge(s) upon receipt of written notice from the attorney for the Commonwealth that he does not object to the petition,

AND/OR

waiving a hearing on the petition for expungement of the following felony charge(s) upon receipt of written notice and stipulation from the attorney for the Commonwealth that he does not object to the petition and that the continued existence and possible dissemination of information relating to the arrest of the petitioner causes or may cause circumstances which constitute a manifest injustice to the petitioner,

the court FINDS that

the continued existence and possible dissemination of information relating to the arrest of the petitioner causes or may cause circumstances that constitute a manifest injustice to the petitioner.

the petitioner has no prior criminal record, the arrest was for a misdemeanor and the Commonwealth did not show good cause why the police and court records relating to the charge should not be expunged.

The court has received the attached copy of a writ of actual innocence pursuant to Va. Code § 19.2-327.5 or § 19.2-327.13 vacating a conviction.

Pursuant to Va. Code § 2.2-402, the court has received the attached copy of an absolute pardon granted by the Governor.

The court entered a WRIT OF VACATUR pursuant to §§ 19.2-327.16-19.2-327.18 and no appeal was made
OR the Supreme Court refused or denied the Commonwealth's petition for appeal
OR the Supreme Court upheld the issuance of the WRIT OF VACATUR.

Case No.

The court ORDERS that:

- The police and court records, including electronic records, relating to the following charge(s) or offense(s) be expunged pursuant to subsection F (acquittal/dismissal) subsection I (absolute pardon) subsection J (writ of actual innocence) of Va. Code § 19.2-392.2 OR Va. Code § 19.2-327.19 (writ of vacatur)

.....
LIST CHARGE(S)/OFFENSE(S) INCLUDING CIRCUIT COURT AND DISTRICT COURT CASE NUMBERS, IF KNOWN

- The petitioner was awarded a writ of vacatur and shall forever be discharged from the restitution obligated for the offense(s) pursuant to Va. Code § 19.2-327.18. The clerk of this court shall send a copy of this order to the clerk of the court where the conviction(s) was entered.
- The clerk of this court shall send a copy of this ORDER, along with a copy of the PETITION FOR EXPUNGEMENT, writ of actual innocence, or writ of vacatur to the Department of State Police to be acted upon in accordance with the rules and regulations adopted pursuant to Va. Code § 9.1-134.
- This order shall be sealed and may only be disseminated for the purposes set forth in § 19.2-392.3 pursuant to regulations and procedures adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134.
- The court FINDS that the statutory requirements for expungement have not been satisfied for the following charge(s) and therefore, the court ORDERS that the petition be denied as to the following charge(s).

.....
LIST CHARGE(S)

.....
DATE

.....
JUDGE

I certify that I forwarded a copy of this ORDER, along with a copy of the PETITION FOR EXPUNGEMENT or a copy of the writ of actual innocence, to the Virginia Department of State Police

on
DATE

.....
CLERK