

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

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.

Case No.

The court ORDERS that:

- ☐ The police and court records, including electronic records, relating to the following charge(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

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

- ☐ The clerk of this court shall send a copy of this ORDER, along with a copy of the PETITION FOR EXPUNGEMENT or writ of actual innocence, 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.
- ☐ 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