

EXPUNGEMENT CHECKLIST
 11th Judicial District (Sabine Parish)
La. Code of Criminal Procedure Art. 971-997

EXPUNGEMENT ELIGIBILITY

1. Arrests and convictions where any of the following occurred:

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| <input type="checkbox"/> Time limit for prosecution expired
<input type="checkbox"/> Case was dismissed
<input type="checkbox"/> Case was not prosecuted (including because you completed pretrial diversion)
<input type="checkbox"/> First offender pardon except for certain sex offenses and violent crimes
<input type="checkbox"/> Determination of factual innocence | <input type="checkbox"/> You were sentenced under Art. 893 or Art. 894 and you have obtained an order to set aside/dismiss
<input type="checkbox"/> Not guilty verdict
<input type="checkbox"/> A human trafficking victim certification applies to the offense |
|---|---|

2. Convictions (not under Art. 893/894) where the time limitation has passed

Felony	10 years from completion with no new criminal convictions and no charges pending
Misdemeanor	5 years from completion with no new felony convictions and no felony charges pending

3. Special Rules: For OWI/DWI offenses, if you were placed in pre-trial diversion, your arrest cannot be expunged for at least five years from your arrest date. Misdemeanor convictions for domestic abuse battery, stalking, and arrests for some sex offenses cannot be expunged. Felony convictions for some crimes of violence, some sex offenses against minors, and domestic abuse battery cannot be expunged.

Felony convictions for some drug offenses may not be expunged, but many drug-related convictions for possession and for possession with intent to distribute can be expunged. A complete list is in La. Code of Criminal Procedure Art. 978.

If you have questions about whether you are eligible for expungement, there is a free app to help you determine this called Clean Jacket, which is provided by a nonprofit organization. You can download the app on Google Play or the Apple Store, or at <https://www.jaclouisiana.org/expungement-app>

ATTACHMENTS CHECKLIST

Documents	Fees
<input type="checkbox"/> Motion and Order for expungement <input type="checkbox"/> Used the forms in Articles 987, 988, 990, 991, and 992 (these are on the Clerk’s website) <input type="checkbox"/> LSP or sheriff background check obtained within last <u>60</u> days <input type="checkbox"/> Certification of no pending charges/felonies from DA <input type="checkbox"/> Any bills of information <input type="checkbox"/> Any minute entry showing final outcome of case If applicable: <input type="checkbox"/> Letter from DA showing charges were refused <input type="checkbox"/> Letter from DA verifying defendant didn’t participate in pre-trial diversion <input type="checkbox"/> Order Setting Aside Conviction (Art. 893/894) <input type="checkbox"/> (Optional) Affidavit(s) of Response from DA, BCII, or arresting agency consenting and waiving a hearing <input type="checkbox"/> Any first offender pardon <input type="checkbox"/> Any order waiving sex offender registration/notification requirements <input type="checkbox"/> Any order determining factual innocence and compensation for wrongful conviction <input type="checkbox"/> (OWI convictions only) letter from OMV under Art. 984 <input type="checkbox"/> Any human trafficking victim certification	<input type="checkbox"/> Fee Waiver from DA (if applicable) OR <input type="checkbox"/> Money orders or law firm checks: <input type="checkbox"/> (OWI cases only) \$50 to La. Office of Motor Vehicles <input type="checkbox"/> \$300 to Sabine Parish Clerk of Court <input type="checkbox"/> \$250 to La. State Police

After you file your motion, the District Attorney, Louisiana Bureau of Criminal Identification and Information, and the arresting law enforcement agency have **60 days** to object.

If they don’t file an objection, your order will be sent to the Judge for signature. Please allow three months for this process to be completed. If they do file an objection, you will be notified by mail. You are responsible for notifying the court if your address changes.

The Clerk of Court and the Judge’s Office are prohibited by law from providing legal advice. They can’t help you in completing these forms. If you need assistance, speak with an attorney.