

STATE OF NORTH CAROLINA

File No.

Scan No.(s) (Official Use Only)

_____ County

In The General Court Of Justice
 District Superior Court Division**STATE VERSUS**

Name And Address Of Petitioner (type or print full name)

**PETITION AND ORDER OF EXPUNCTION
UNDER G.S. 15A-148
(DNA Records Appellate Dismissal Or Pardon)**

G.S. 15A-148

Name And Address Of Petitioner's Attorney For Expunction Petition

Drivers License No.

State

Race

Sex

Date Of Birth

Full Social Security No.

NOTE TO PETITIONER: Complete the address section of the form. The North Carolina State Crime Laboratory will send a letter documenting expungement of the DNA record and destruction of the DNA sample to you and your attorney at the addresses provided above.

File No.(s)	Date Of Arrest	Offense Description	Date Of Offense	Disposition	Date Of Disposition/Conviction

 Check here to indicate that additional file nos. and offenses are listed on an AOC-CR-285 form that is attached to this petition. (attach form)**PETITION/MOTION TO EXPUNGE****I hereby move for an expunction pursuant to G.S. 15A-148 and certify as follows:** 1. **(Charges Dismissed On Appeal)**

I was charged and convicted in the county named above and an appellate court has reversed and dismissed my conviction(s) for the offense(s) listed above, each of which had a DNA analysis done in accordance with Article 13 of Chapter 15A of the General Statutes.

NOTE TO PETITIONER: Attach a certified copy of the final appellate order that reversed and dismissed the conviction(s). 2. **(Pardon Of Innocence Granted)**

I was charged and convicted in the county named above and I received a pardon of innocence for the offense(s) listed above, each of which had a DNA analysis done in accordance with Article 13 of Chapter 15A of the General Statutes.

NOTE TO PETITIONER: Attach a certified copy of the instrument that granted the pardon of innocence.

Date	Name (type or print)	Signature
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FINDINGS OF FACT

After consideration of the petition/motion, the Court makes the following findings of fact:

- 1. The petitioner is seeking an expunction under G.S. 15A-148 and the petitioner's conviction has been reversed and dismissed by an appellate court. Attached hereto is a certified copy of the final appellate court order, which is incorporated by reference.
- 2. The petitioner is seeking an expunction under G.S. 15A-148 and the petitioner received a pardon of innocence. Attached hereto is a certified copy of the instrument granting the pardon of innocence, which is incorporated by reference.
- 3. The petitioner is is not eligible for an expunction under G.S. 15A-148. If not eligible, it is because:

ORDER**Therefore, the Court hereby ORDERS:**

- 1. The petition is granted. It is ordered that the North Carolina State Crime Laboratory destroy the stored DNA sample from the State DNA Databank and expunge the DNA profile from the State DNA Database, and send a letter to the petitioner and the petitioner's attorney documenting expungement at the addresses provided above. The order does not apply to other offenses not identified in this order committed by the petitioner that qualify for inclusion in the State DNA Database and the State DNA Databank.
- 2. For the reason(s) identified in Finding No. 3, the petition is denied.

NOTE TO CLERK: If denied, file this Order in the case file.

Date	Name Of Presiding Judge (type or print)	Signature Of Presiding Judge
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CERTIFICATION BY CLERK

I hereby certify that this form is a true and complete copy of the original in this case, and if granted, a certified copy of this Order and attached documents was sent on the date shown below to the petitioner, the North Carolina State Crime Laboratory, and the NCAOC.

Date	Name (type or print)	Signature Of Clerk	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Asst. CSC <input type="checkbox"/> Clerk Of Superior Court	SEAL
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NOTE TO CLERK: If granted, **always** send a certified copy of this Order and attachments under seal to the petitioner and:NC State Crime Laboratory
Attn: DNA Database Section,
Expungement Unit
121 East Tryon Road
Raleigh, NC 27603-3582NC Administrative Office of the Courts
Court Services
Attn: Records Officer
PO Box 2448
Raleigh, NC 27602**NOTE TO PETITIONER:** If this petition is granted, the clerk of superior court will send a certified copy of the final order to the North Carolina State Crime Laboratory, who will send a letter documenting expungement to the petitioner's address and petitioner's attorney's address listed above. If you move, you must notify the clerk in writing of your change of address.