

NOTE: A SEPARATE PETITION MUST BE FILED FOR EACH CRIMINAL CASE AND THE CHARGE(S) MUST BE LISTED IN THIS PETITION FOR THE CHARGE(S) TO BE EXPUNGED. ADDITIONALLY, A COPY OF YOUR CURRENT AOC CRIMINAL HISTORY RECORD MUST BE ATTACHED TO THIS PETITION.

AOC-496.2 Doc. Code: PEXC
Rev. 2-10
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Commonwealth of Kentucky
Court of Justice www.courts.ky.gov
KRS 431.078



PETITION/ MOTION FOR EXPUNGEMENT
(OF MISDEMEANOR OR VIOLATION CONVICTION)

Case No. _____
Court _____
County _____

COMMONWEALTH OF KENTUCKY

PLAINTIFF

VS.

_____ NAME

_____ ADDRESS

_____ PHONE NUMBER

DEFENDANT

Defendant's Birthdate: _____ Defendant's SSN: _____ Violation/Arrest Date: _____

Jail ID Number _____ (optional)

Comes now, the Defendant herein, and petitions the Court, pursuant to KRS 431.078, to expunge the following misdemeanor or violation charge(s) in the above-referenced case:

CHARGE: _____

CHARGE: _____

CHARGE: _____

CHARGE: _____

CHARGE: _____

CHARGE: _____

THERE IS A \$100 FEE PER CASE, PAYABLE AT THE TIME OF FILING. THE CLERK CANNOT TAKE YOUR PETITION/MOTION WITHOUT PROPER PAYMENT OF THE FEE.

In support of this Petition, the Defendant states as follows:

1. The Defendant was convicted of the misdemeanor(s) or violation(s) charged above;
2. The above-stated offense(s) is/are not a sex offense(s) or an offense(s) committed against a child;
3. The Defendant has no previous felony conviction;
4. The Defendant has not been convicted of any other misdemeanor or violation offense within the five (5) years prior to the conviction sought to be expunged;
5. The Defendant has not, since the time of the conviction sought to be expunged, been convicted of a felony, misdemeanor, or a violation;
6. No proceeding concerning a felony, misdemeanor, or violation is pending or being instituted against Defendant; and the offense(s) sought to be expunged was/were offense(s) against the Commonwealth of Kentucky.
7. This petition is filed no sooner than five (5) years after completion of Defendant's sentence OR five (5) years after successful completion of the Defendant's probation, whichever is later.

List the names and addresses of all victims of the crimes listed above and any other person(s) whom Defendant / Petitioner has reason to believe may have information relevant to the expungement:

Victims: _____

Persons with relevant information: _____

The Defendant prays that this Petition/Motion for Expungement of a Misdemeanor or Violation Conviction be granted and that this Court enter an Order that the following agencies expunge/seal any records in the agency(ies) custody regarding these charges: **LIST AGENCIES HERE**

Note: Defendant/Petitioner must sign this petition **in the presence of** the circuit clerk so that the clerk can notarize his/her signature.

Date: _____, 2_____.
_____ Defendant/Petitioner

Subscribed and sworn to before me by _____

this _____ day of _____, 2_____.

Clerk

By: _____ D.C.

NOTIFICATION OF EXPUNGEMENT HEARING

This case is set for a hearing on _____ at the hour of _____
[] a.m. [] p.m. at the _____ [] District [] Circuit Court.

Dated this _____ day of _____, 2_____.

Clerk

By: _____ D.C.

FOR CLERK USE ONLY

This Petition/Motion for Expungement was sent on the _____ day of _____, 2_____, to Defendant/Petitioner or his/her attorney; the County Attorney; all crime victim(s) indentified by Defendant/Petitioner or the court record sought to be expunged; and all other person(s) whom Defendant/Petitioner has reason to believe may have information relevant to the expungement.

Clerk

By: _____ D.C.