

Instructions for Applying for a Certificate of Eligibility

In order to obtain a Certificate of Eligibility to petition the court to seal or expunge a criminal history record, the following requirements must be met pursuant to s.943.0585(2) and s.943.059(2), Florida Statutes.

- Section A of the application must be completed and signed in the presence of a notary public.
- The applicant must be fingerprinted by authorized law enforcement personnel or a criminal justice agency. The fingerprint form must include the applicant's name, race, sex, date of birth, *social security number (SOC) , and signature, prior to submission to FDLE. A FDLE Fingerprint Form, FD 40-024, is supplied with the application package.
- The applicant must provide a certified disposition of the case that he/she is applying to have sealed or expunged. This may be obtained from the Clerk of Court in the county in which the charge(s) were brought. For Pre-trial Intervention cases and other Diversion programs, a certified letter of completion from the State Attorney's office may substitute for a certified disposition. Please provide a certified copy of Termination of Probation, if applicable.
- A **NONREFUNDABLE** money order or cashier's check for \$75.00 made payable to the FDLE must accompany the application.
- If you are requesting an expunction of a criminal history record, you must have the state attorney or statewide prosecutor complete Section B of the application. (If not completed, the application will be processed as a sealing of your criminal history record).

Special Note: All of the items listed above are required at the time that the application is submitted. If an item is missing or the application or fingerprint form is not completed, the application will be returned unprocessed.

* This information is voluntary; failure to disclose may delay the processing time of your application

**FLORIDA DEPARTMENT OF LAW ENFORCEMENT
APPLICATION FOR CERTIFICATION OF ELIGIBILITY
PLEASE TYPE OR PRINT ALL INFORMATION**

SECTION A - ALL APPLICANTS

Last Name		First Name		Middle Name	
Aliases: Maiden: Divorce		Residence Phone ()		Business Phone ()	
Date of Birth (DOB) MONTH DAY YEAR		Race	Sex	Social Security No.	
Mailing Address		City		State	Zip
Permanent Address		City		State	Zip
Arresting Agency	Date(s) of Arrest		Florida Drivers License No.		

Select One: ☐ **Expunge** ☐ **Seal** **NOTE:** For Expunction applications, the State Attorney or Statewide Prosecutor must complete Section B.

Charge(s) 1. _____ 2. _____ 3. _____ 4. _____ I hereby certify that the information contained herein is true and correct to the best of my knowledge. Signature _____ Date _____	NOTARY (PLEASE STAMP WITH SEAL) Sworn to and subscribed before me This _____ Day of _____, 20_____ _____ (Signature of Notary Public) _____ (Print, Type, or Stamp Commissioned Name of Notary or Deputy Clerk of the Court) Personally Known _____ or Produced Identification _____ Type of Identification Produced: _____
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State Attorney/Statewide Prosecutor	County	Circuit	Reviewing Officer
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Charge(s) Description	Statute Violation	Case Number	Action
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____

If one of the paragraphs below is checked, my signature below indicates that, based on the disposition of all charges related to the above-referenced case, that case is eligible to be expunged, if the applicant is otherwise eligible to have his or her record expunged under law. My signature does not imply that the applicant has satisfied all other statutory eligibility criteria, or that this Office would not oppose a petition to expunge the above-referenced case. By checking paragraph 1, 2, or 3, I certify that the above-referenced case is presently eligible to be expunged, assuming that the applicant is otherwise eligible, because:

- ☐ 1. An indictment, information, or other charging document was not filed or issued in the case; OR
- ☐ 2. An indictment, information, or other charging document, if filed or issued in the case, was dismissed or nolle prosequi by the state attorney or statewide prosecutor, or was dismissed by a court of competent jurisdiction; OR
- ☐ 3. (a) None of the charges (acts) related to the arrest or alleged criminal activity to which the application for certificate of eligibility to expunge pertains resulted in an adjudication of guilt or of delinquency; AND
(b) The record of the arrest or alleged criminal activity to which the application for certificate of eligibility to expunge pertains has been sealed for at least 10 years; AND
(c) None of the charges (if any) for which adjudication of guilt or of delinquency was withheld relates to a violation of s. 393.135, s. 394.4593, s. 787.025, chapter 794, s. 796.03, s. 800.04, s. 810.14, s. 817.034, s. 825.1025, s. 827.071 chapter 839, s. 847.0133, s. 847.0135, s. 847.0145, s. 893.135, s. 916.1075, a violation enumerated in s. 907.041, or any violation specified as a predicate offense for registration as a sexual predator pursuant to s. 775.21, without regard to whether that offense alone is sufficient to require such registration, or for registration as a sexual offender pursuant to s. 943.0435.

The above-referenced case is not eligible to be expunged because:

- ☐ One or more of the charges (acts) related to the arrest or alleged criminal activity to which the application for certificate of eligibility to expunge pertains resulted in an adjudication of guilt or of delinquency;
- OR, BECAUSE OF ONE OR MORE OF THE FOLLOWING REASONS:
- ☐ The record of the arrest or alleged criminal activity to which the application for certificate of eligibility to expunge pertains has not been sealed for at least 10 years;
- ☐ One or more of the charges for which an adjudication of guilt or of delinquency was withheld relate to a violation of s. 393.135, s. 394.4593, s. 787.025, chapter 794, s. 796.03, s. 800.04, s. 810.14, s. 817.034, s. 825.1025, s. 827-071, chapter 839, s. 847.0133, s. 847.0135, s. 847.0145, s. 893.135, s. 916.1075, a violation enumerated in s. 907.041, or any violation specified as a predicate offense for registration as a sexual predator pursuant to s. 775.21, without regard to whether that offense alone is sufficient to require such registration, or for registration as a sexual offender pursuant to s. 943.0435;
- ☐ Records available to this Office disclose some other ground of statutory ineligibility (e.g., adjudication of guilt in a different case; previous expunction or sealing).

Signature _____ Title(Prosecuting Authority) _____ Date _____

Signature _____ Title(Prosecuting Authority) _____ Date _____

Acct/Budget	Expunge/Seal Section	Expunge/Seal Section
Date Received _____	I.D.# _____ ORI _____	Date Received _____
Check _____	Certification Status Approved Denied	Date Entered _____
Processed By _____ - _____	Seal ☐ ☐	Date Mailed _____
	Expunge ☐ ☐	

IMPORTANT: A CERTIFICATE OF ELIGIBILITY IS VALID FOR 12 MONTHS FROM THE DATE OF ISSUANCE. AFTER THAT TIME, A NEW CERTIFICATE MUST BE APPLIED FOR.

**SECTION B - STATE ATTORNEY
FOR EXPUNCTION APPLICATIONS ONLY**

**SECTION C
FDLE**

GENERAL INSTRUCTIONS & INFORMATION:

1. **Applicable law:** Sections 943.0585 and 943.059, Florida Statutes, and Chapter 11C-7, Florida Administrative Code (FAC), govern the use of this application, for the expunction or sealing of non-judicial criminal history records by criminal justice agencies. These statutes and the implementing rules require that you obtain a **Certificate of Eligibility** from the Florida Department of Law Enforcement (FDLE) **prior** to requesting a court for an order to seal or expunge your non-judicial criminal history records, and that you provide the information required by this application process.
2. Please type or print all information, except signatures. Complete all required portions of the application and submit all required documents and the processing fee noted below, under Section A. Failure to disclose your social security number (SOC) may delay the processing time of your application. **If your application is submitted without all the required information, documentation, or the processing fee, FDLE may reject your application.**
3. **Mailing information:** Mail your completed application package and fee to the following address:

**Florida Department of Law Enforcement
ATTN: Expunge/Seal Section
P.O. Box 1489
Tallahassee, Florida 32302-1489**
4. **Contact Information:** FDLE's Expunge/Seal Section – (850) 410-7870.
5. **Optional Personal Review of your Florida criminal history record:** If you have questions about what appears in your Florida criminal history record maintained by FDLE, you may wish to obtain a Personal Review of your record from FDLE, pursuant to Chapter 11C-8, FAC, before submitting this application form. The Personal Review is **optional** and is not required for FDLE to process your Application for Certification of Eligibility for expunction or sealing of your record. To obtain a Personal Review, please complete and submit the enclosed FDLE **Fingerprint form** and a **letter** to FDLE at the address above. If you submit the fingerprint form and a letter for your Personal Review, please **DO NOT** send in the APPLICATION or the \$75.00 processing fee until the Personal Review is completed; the results of your personal review may influence your decision to request the expunction or sealing of your criminal history record.

SECTION A: FOR ALL APPLICANTS

1. Complete **every part** of **SECTION A**. Make sure your **signature**, as the applicant, is **notarized**.
2. If you were given a **Notice to Appear** and not physically arrested for the charge(s), indicate the date of the Notice to Appear in the box marked "Date of Arrest."
3. **NON-REFUNDABLE Processing Fee:** Submit with your application a **money order or Cashier's check** in the amount of **\$75.00**, made payable to the Florida Department of Law Enforcement (FDLE).
4. Submit the attached **fingerprint form** with your fingerprints, as part of your application packet. **This form must be completed by authorized personnel at a law enforcement or criminal justice agency**, using **only** the attached FDLE Fingerprint form. (If you have obtained a **Personal Review**; **send the fingerprint card back** with the enclosed fingerprint form, please resubmit the same form for the Expunge/Seal "Certificate of Eligibility" application.)
5. Provide a **certified copy of the final disposition(s)** for **each** of the charges you list on your application. Dispositions can usually be obtained from the office of the Clerk of Courts in the county where you were charged. For Pretrial Intervention and other Diversion programs, a **certified letter of completion** from the State Attorney or Statewide Prosecutor may substitute for a certified disposition. If you received probation for any of the charges, you must also submit a **certified copy of the termination of your probation**.

SECTION B: FOR EXPUNCTION APPLICANTS ONLY

1. **Submit the application to the State Attorney or Statewide Prosecutor for completion of SECTION B only if you are applying to have your records EXPUNGED.** NOTE: In addition to proper completion of Section B, you must also submit the certified copies of disposition(s) and termination of probation required under Section A.

SECTION C: FOR FDLE USE ONLY

**REASONS AN APPLICATION FOR CERTIFICATE OF ELIGIBILITY TO SEAL OR
EXPUNGE A CRIMINAL HISTORY RECORD WILL BE DENIED**

Pursuant to Sections s.943.0585 and s.943.059, Florida Statutes, a Certificate of Eligibility to expunge or seal a criminal history record **cannot** be issued under any of the following circumstances:

1. The criminal history record reflects that you have been adjudicated guilty of a criminal offense or comparable ordinance violation or adjudicated delinquent for committing any felony or a misdemeanor specified in s.943.051(3)b. **Certain driving violations are classified as criminal, such as DUI, reckless driving, and (with some exceptions) driving while license is suspended/canceled/revoked.**
2. The criminal history record reflects that you have been adjudicated guilty of or adjudicated delinquent for committing one or more of the acts stemming from the arrest or alleged criminal activity to which the application pertains.
3. The criminal history record reflects that you have received a prior sealing or expunction of a criminal history record under s.943.0585, s.943.059, former s.893.14, former s.901.33, former s.943.058, or from any jurisdiction outside the state.
4. The criminal history record to which the application pertains relates to a violation of s.393.135, s.394.4593, s.787.025, chapter 794, s.796.03, s.800.04, s.810.14, s.817.034, s.825.1025, s.827.071, chapter 839, s.847.0133, s.847.0135, s.847.0145, s.893.135, s.916.1075, a violation enumerated in s.907.041, or a violation of any offense qualifying for registration as a sexual predator under s.775.21 or for registration as a sexual offender under s.943.0435, Fla. Stat., with a finding of guilt, or a plea or guilty or nolo contendere (without regard to whether adjudication was withheld).
5. The criminal history record reflects that you have another petition to seal or expunge pending before a court of competent jurisdiction.
6. The criminal history record reflects that the court supervision applicable to the disposition of the arrest or alleged criminal activity to which the application pertains has not been completed.
7. **[For expunction only]** The criminal history record reflects that some or all of the charges related to the arrest or criminal activity to which the application pertains were not dismissed prior to trial, adjudication, or the withholding of adjudication, If no other disqualification applies, the record would be eligible to be sealed.

PLEASE NOTE: The Governor and Cabinet of Florida, acting in the capacity of the Board of Executive Clemency, declared on June 10, 1999, that the granting of a full pardon does not remove any condition of ineligibility for sealing or expunging a criminal history record which would otherwise be imposed by a conviction or withholding of adjudication pursuant to Sections 943.0585 and 943.059, Florida Statutes, and, acting in the capacity of agency head of the Department of Law Enforcement, the Board directed FDLE to deny a Certificate of Eligibility to any person receiving a pardon who is otherwise ineligible for the sealing or expunging of the person's criminal history record.

DISQUALIFYING CHARGES FOR EXPUNCTION/SEALING

A request for a certificate of eligible for an expunction or sealing of a criminal history record will be denied if the defendant was found guilty or pled guilty or nolo contendere, even if the adjudication was withheld, on any violation of the following:

Offenses listed in S.907.041, F.S.

1. Arson
2. Aggravated Assault
3. Aggravated Battery
4. Illegal use of explosives
5. Child abuse or Aggravated Child Abuse
6. Abuse of an elderly person or disabled adult, or aggravated abuse of an elderly person or disabled adult
7. Aircraft piracy
8. Kidnapping
9. Homicide
10. Manslaughter
11. Sexual Battery
12. Robbery
13. Carjacking
14. Lewd, lascivious, or indecent assault or act upon or in the presence of a child under the age of 16 years
15. Sexual activity with a child, who is 12 years of age or older but less than 18 years of age, by or at solicitation of a person in familial or custodial authority
16. Burglary of a dwelling
17. Stalking of Aggravated Stalking
18. Act of Domestic Violence, as defined in **s.741.28**
19. Home-invasion Robbery
20. Act of Terrorism as defined by s.775.30
21. Attempting or conspiring to commit any of the above crimes
22. Manufacturing any substances in violation of chapter 893

S.393.135, F.S.

Sexual misconduct with developmentally disabled person and related offenses

S.394.4593, F.S.

Sexual misconduct with mentally ill person and related offenses

S.787.025, F.S.

Luring or enticing a child

Chapter 794, F.S.

Sexual Battery and related offense

S.796.03, F.S.

Procuring person under 18 for prostitution

S.800.04, F.S.

Lewd or lascivious offenses committed upon or in the presence of persons less than 16 years of age

S.810.14, F.S.

Voyeurism

S.817.034, F.S.

Florida Communication Fraud Act

(Scheme to Defraud or Organized Fraud, as defined in s.817.034, F.S.)

S.825.1025, F.S.

Lewd or lascivious offense upon or in presence of elderly person or disabled adult

S.827.071, F.S.

Sexual performance by a child

Chapter 839, F.S.

Offenses by Public Officers and Employees

S.847.0133, F.S.

Showing, etc., obscene literature to minor

S.847.0135, F.S.

Computer pornography

S.847.0145, F.S.

Selling or buying of minors

S.893.135, F.S.

Trafficking in controlled substances

S.916.1075

Sexual misconduct with mentally deficient or mentally ill defendant and related offenses

A violation of any offense qualify for registration as a sexual predator under **s.775.21** or for registration as a sexual offender under **s.943.0435**.

All references are from Florida Statutes

FINGERPRINTS FOR APPLICATION FOR CERTIFICATION OF ELIGIBILITY

Name:
Last _____ **First** _____ **Middle** _____

Alias(aka)
Name: Last _____ **First** _____ **Middle** _____

RACE: __ **SEX:** __ **DOB:** _____ *** SOC:** _____ **Place of Birth:** _____

Please mail completed application and fingerprints to:
FDLE, P.O. Box 1489, Tallahassee, FL 32302, Attn: Expunge/Seal Section

Signature of official taking fingerprints: _____ **ORI:** _____

Signature of person fingerprinted: _____ **Date:** _____

1. R. Thumb	2. R. Index	3. R. Middle	4. R. Ring	5. R. Little
6. L. Thumb	7. L. Index	8. L. Middle	9. L. Ring	10. L. Little
Left Four Fingers Taken Simultaneously		L. Thumb	R. Thumb	Right Four Fingers Taken Simultaneously

- Social Security Number, this information is voluntary; failure to disclose may delay the processing time of your application.

Request for Personal Review of Criminal History Records

Under Florida and federal law, an individual has the right to request a copy of his or her criminal history record for purposes of review, to ensure that it is both accurate and complete. This process is known as a Personal Review. The requestor may examine the record obtained through Personal Review for accuracy and to challenge any information contained within the criminal history record that the individual believes is inaccurate or incomplete. There is no charge assessed by the Florida Department of Law Enforcement (FDLE) for this service

Individuals requesting a Personal Review of their **Florida** criminal history record as maintained by the FDLE, should utilize the following procedures:

1. A written request for Personal Review must be submitted to the FDLE and must include the individual's name and complete mailing address.
2. The individual must be fingerprinted by a law enforcement or criminal justice agency. The fingerprint card is provided for positive identification for the Personal Review and each data field on the fingerprint card should be completely filled out. To ensure expeditious processing of the request by the FDLE, the reason fingerprinted data field should contain "Personal Review".

The required items listed above should be mailed together to:

*Florida Department of Law Enforcement
2331 Phillips Road
Post Office Box 1489
Tallahassee, Florida 32302-1489
Attn: Quality Control Section
Florida Crime Information Center Bureau*

4. The Quality Control Section will process the fingerprint card and should a positive fingerprint identification be established against an existing criminal history record maintained within the Department's files, a printout of the criminal history record, along with the individual's fingerprint card and original letter of request, will be returned to the individual. If a positive fingerprint identification is not established against an existing criminal history record maintained within the Department's files, the fingerprint card will be stamped as "No Record" and returned to the individual along with the original letter of request.

The FDLE is the central repository for criminal history information for the State of Florida. The information contained within Florida criminal history records is provided to the FDLE by criminal justice agencies throughout the State. If, after reviewing the criminal history record, the individual feels that the record is inaccurate or incomplete, it is the individual's responsibility to contact the agency responsible for submitting that portion of the record in question to obtain clarification or additional information and to effect any necessary changes.

Should modifications need to be made, it is the contributing agency's responsibility to notify FDLE in writing so that the criminal history record can be properly updated. FDLE will maintain any documentation submitted for this reason for future reference. If you believe that you have been the victim of identity theft, FDLE would ask that you supply a photocopy of your drivers license and social security card along with your request for a personal review to expedite the resolution of your case. If you have questions or need assistance with the correction of inaccuracies you find in your criminal history record, you may contact the FDLE's Quality Control Section at (850) 410-7898.

If you are obtaining a personal review of your Florida criminal history record prior to making application for a Certificate of Eligibility to Seal or Expunge a criminal history record, please note that the receipt of a criminal history record (rap sheet) neither indicates eligibility nor ineligibility for this process. It merely is a copy of your criminal history record as maintained within FDLE's files. Eligibility to have a criminal history record sealed or expunged is determined through the application process established for this purpose under Florida Statutes, s.943.0585 and s.943.059.

Federal Bureau of Investigation (FBI) Personal Review Procedures

Individuals wishing to review their federal record, as maintained by the FBI, must submit their written request, completed fingerprint card, and certified check or money order made payable to the Treasury of the United States in the amount of \$18.00 directly to the FBI at the following address:

*Federal Bureau of Investigation
Criminal Justice Information Services Division Attn: SCU MOD D2
1000 Custer Hollow Road
Clarksburg, West Virginia 26306*

Checklists

The following checklists should help you make sure your application for expunction or sealing is complete.

Items Necessary for an Application to be Accepted for Processing

- Completed, signed and notarized, Application for Certification of Eligibility
- A check or money order made payable to FDLE in the amount of \$75.00
- A certified copy of the disposition of the case to be sealed or expunged
- A legible set of fingerprints recorded by a law enforcement agency on an applicant card
- If the applicant is seeking to have the record expunged, Section B of the application must be completed and signed by the appropriate State Attorney or statewide prosecutor

If any of these items are not present, the application will be returned to the individual with a letter stating what items need to be included. Once all items are obtained and the application is resubmitted it will be accepted for processing. At the current time, due to backlog, our processing time is an average of 40 days from the date of receipt until an applicant receives either a certificate or a denial letter.

Things to double-check

- Signed and date your application in front of a notary
- Provide a certified disposition of your case
- Fill out your fingerprint card completely
- Provide a \$75 check or money order made payable to FDLE
- Have Section B completed by the State Attorney's Office if you are seeking an expunction

FDLE asks that you provide your social security number (SSN). The decision to provide your SSN is at your option, and if you provide your SSN, FDLE will use it for purposes of identification, and may share the information with other agencies for the same purpose. FDLE's request for your SSN is authorized by state law because use of it is imperative for FDLE to fulfill its lawful duties and responsibilities. Your failure to provide your SSN may result in a delay in processing your application or request.

Once you have received your Certificate of Eligibility from FDLE:

- Fill out the Petition to Seal/Expunge and have the Affidavit notarized
- Provide a \$42.00 Cashier's check or Money Order made Payable to Bill Kinsaul, Clerk of Court
- Include Attorney letterhead, if applicant is represented by an attorney
- Mail to Clerk of Court
ATTN: Seal/Expunge
300 E. 4th St
Panama City, FL 32401

In the Circuit Court of Bay County in the Fourteenth Judicial Circuit,

In and for Bay County, Florida.

State of Florida,
Plaintiff

Case Number: _____

vs.

Defendant/Petitioner

PETITION TO EXPUNGE OR SEAL

The petitioner, _____, petitions this honorable court, pursuant to Florida Rule of Criminal Procedure 3.692 and section 943.0585, or section 943.59 Florida Statutes, to expunge or seal all criminal history in the custody of any criminal justice agency and the official records of the court concerning the petitioner's arrest on the ____ day of _____, 20____, by _____ (arresting agency), for _____ (charges), and as grounds therefore shows:

1. On the ____ day of _____, 20____, the petitioner, _____, a _____ (race/sex), whose date of birth is _____ (date of birth), was arrested by _____ (arresting agency), and charged with _____ (charges).
2. The petitioner has not been adjudicated guilty of any of the charges stemming from this arrest or alleged criminal activity.
3. The petitioner has not been previously adjudicated guilty of a criminal offense or a comparable ordinance violation.
4. The petitioner has not secured prior records expunction or sealing under section 943.0585, or 943.059, Florida Statutes, former section 943.058, Florida Statutes, former section 893.14, Florida Statutes, or former section 901.33, Florida Statutes, or any other law, rule or authority.
5. (To be used only when requesting expunction.) Such record has been sealed under section 943.059, Florida Statutes, former section 901.33, Florida Statutes, former section 893.14 Florida Statutes, or former section 901.33, Florida Statutes, for at least 10 years; or there has not been an indictment or information filed against the petitioner who is the subject of this criminal history record information; or an indictment or information filed against the petitioner who is subject of this criminal history information was dismissed by the prosecutor or the court.
6. The petitioner has submitted herewith a certificate issued by The Florida Department of Law Enforcement stating the petitioner is eligible for an expunction or sealing of this record.

WHEREFORE, the petitioner moves to expunge or seal any criminal history record information and any official court records regarding his/her arrest by _____ (arresting agency), for _____ (charges), on the __ day of _____, 20__.

I HEREBY CERTIFY that a true and correct copy of the foregoing pleading has been served on Larry Basford, State Attorney for the fourteenth Judicial Circuit, in and for Bay County, P.O. Box 1040, Panama City, FL 32402; _____ (arresting agency); and the Florida Department of Law Enforcement, this __ day of _____, 20__.

Defendant's Signature

Address:

City/State/Zip:

Telephone Number:

Bill Kinsaul, Clerk of Court
Room 110
P.O. Box 2269
Panama City, FL 32402

IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT,
IN AND FOR BAY COUNTY , FLORIDA

State of Florida,

Plaintiff,

v.

Case No.: _____

Division: _____

Defendant/ Petitioner

AFFIDAVIT

State of Florida

County of _____

I, _____, am the defendant/petitioner in the above-styled cause
and I do hereby swear or affirm that:

1. I fully understand the meaning of all the terms in this affidavit.
2. I have never been adjudicated guilty of a criminal offense or a comparable ordinance violation nor adjudicated delinquent for committing a felony or a misdemeanor specified in section 943.051(3)(b), Florida statutes.
3. I was arrested on _____ (date) by the
_____ (arresting agency), and I have not been adjudicated guilty of, not
adjudicated delinquent for committing, any of the acts stemming from the arrest or the
alleged criminal activity surrounding my arrest.
4. I am eligible for the relief requested, to the best of my knowledge and belief, and do not have
any other petition to expunge or seal pending before any court.

5. I have never secured a prior records expunction or sealing under any law.
6. (For use in expunction petitions only.) My record of arrest for this date has been sealed for at least 10 years; or an indictment, information, or other charging document was not filed against me for the above criminal transaction; or an indictment, information, or other charging document filed against me was dismissed by the prosecutor or the court.

Petitioner

Sworn to and subscribed before me on _____ (date)

NOTARY PUBLIC, or other person authorized to
administer an oath

Printed, typed, or stamped
commissioned name of the
Notary Public personally
known _____
or produced identification

Type of identification
produced _____
My commission expires:

IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT,
IN AND FOR BAY COUNTY, FLORIDA

STATE OF FLORIDA.

PLAINTIFF,

VS.

CASE NO. _____

Defendant/Petitioner

ORDER TO EXPUNGE UNDER
SECTION 943.0585, FLORIDA STATUTES,
AND FLORIDA RULE OF CRIMINAL PROCEDURE 3.692

THIS CAUSE having come on to be heard before me this date on a petition to expunge certain records of the Petitioner's arrest on _____ (date) by the _____ (arresting agency) for _____ (charge) and the court having heard argument of counsel and being otherwise fully advised in the premises, the court hereby finds:

1. The Petitioner has never previously been adjudicated guilty of a criminal offense or comparable ordinance violation nor adjudicated delinquent for committing a felony or a misdemeanor specified in section 943.051(3) (b), Florida Statutes.
2. The Petitioner was not adjudicated guilty of nor adjudicated delinquent for committing any of the acts stemming from the arrest or criminal activity to which this expunction petition pertains.
3. The Petitioner has not secured a prior records expunction or sealing.
4. This record has either been sealed for at least 10 years; or no indictment, Information, or other charging document was ever filed in this case against The Petitioner; or an indictment, information, or other charging document filed against the Defendant was dismissed by the prosecutor or the court.
5. A Certificate of Eligibility issued by the Florida Department of Law Enforcement accompanied the petition for expunction of non-judicial criminal history records. Whereupon it is

ORDERED AND ADJUDGED that the petition to expunge is granted. All court records pertaining to the above-styled case shall be sealed in accordance with the procedures set forth in Florida Rule of Criminal Procedures 3.692; and it is further

ORDERED AND ADJUDGED that the Clerk of this Court shall forward a certified copy of this order to the: Check One:

____ State Attorney for the Fourteenth Judicial Circuit In and for Bay County;

____ Special Prosecutor

____ State Prosecutor

____ Arresting Agency_____

____ Sheriff of Bay County,

who will comply with the procedures set forth in section 943.0585, Florida Statutes, and appropriate regulations of the Florida Department of Law Enforcement, and who will further forward a copy of his order to any agency that their records reflect has received the instant criminal history record information, and it is further;

ORDERED AND ADJUDGED that _____ (arresting agency) shall expunge all information concerning indicia of arrest or criminal history record information regarding the arrest or alleged criminal activity to which this petition pertains in accordance with the procedures set forth in section 943.0585, Florida Statutes, and Florida Rule of Criminal Procedure 3.692.

All costs of certified copies involved herein are to be born by the Defendant/Petitioner.

DONE AND ORDERED in Chambers at Bay County, Florida, on this _____ day of _____, 20__

Judge

IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT,
IN AND FOR BAY COUNTY, FLORIDA

STATE OF FLORIDA.

PLAINTIFF,

VS.

CASE NO. _____

Defendant/Petitioner

ORDER TO SEAL RECORDS UNDER
SECTION 943.059, FLORIDA STATUTES,
AND FLORIDA RULE OF CRIMINAL PROCEDURE 3.692

THIS CAUSE having come on to be heard before me this date on petitioner's petition to seal records concerning petitioner's arrest on _____ (date) by the _____ (arresting agency) for _____ (charge) and the court having heard argument of counsel and being otherwise fully advised in the premises, the court hereby finds:

1. The Petitioner has never previously been adjudicated guilty of a criminal offense or comparable ordinance violation nor adjudicated delinquent for committing a felony or a misdemeanor specified in section 943.051(3) (b), Florida Statutes.
2. The Petitioner was not adjudicated guilty of nor adjudicated delinquent for committing any of the acts stemming from the arrest or criminal activity to which this expunction petition pertains.
3. The Petitioner has not secured a prior records expunction or sealing.
4. A Certificate of Eligibility issued by the Florida Department of Law Enforcement accompanied the petition for expunction of non-judicial criminal history records. Whereupon it is

ORDERED AND ADJUDGED that the petition to seal records is granted. All court records pertaining to the above-styled case shall be sealed in accordance with the procedures set forth in Florida Rule of Criminal Procedures 3.692; and it is further

ORDERED AND ADJUDGED that the Clerk of this Court shall forward a certified copy of this order to the: (Check One)

___ State Attorney for the Fourteenth Judicial Circuit In and for Bay County;

___ Special Prosecutor

___ State Prosecutor

___ Arresting Agency _____

___ Sheriff of Bay County,

who will comply with the procedures set forth in section 943.059, Florida Statutes, and appropriate regulations of the Florida Department of Law Enforcement, and who will further forward a copy of his order to any agency that their records reflect has received the instant criminal history record information, and it is further;

ORDERED AND ADJUDGED that _____ (arresting agency) shall seal all information concerning indicia of arrest or criminal history record information regarding the arrest or alleged criminal activity to which this petition pertains in accordance with the procedures set forth in section 943.059, Florida Statutes, and Florida Rule of Criminal Procedure 3.692.

All costs of certified copies involved herein are to be born by the Defendant/Petitioner.

DONE AND ORDERED in Chambers at Bay County, Florida, on this _____ day of _____, 20__

Judge