

A Fair Fresh Start:

Securing Expungements for Low-Income Clients

Courtney K. Brothers, Esq.



LEGAL AID
— OF THE —
BLUEGRASS

859-431-8200
www.lablaw.org/volunteer



PART II

Expungement Basics



WHAT IS AN EXPUNGEMENT?

Expungement is a court-ordered process by which the legal records related to certain charges are sealed or erased.



WHAT CAN BE EXPUNGED?

Misdemeanor,
violation, or traffic
infraction convictions
& dismissed charges

Certain Class D felony
convictions

Dismissed felony
charges

Felony charges sent
to grand jury that
have not resulted in
indictment

Acquittals

Certain juvenile
records



WHAT CANNOT BE EXPUNGED?

Civil matters

- Example – contract lawsuit, small claims cases, etc.

DVOs & other Family Court actions

- BUT dismissed DVO cases can be expunged

Federal convictions

- Very limited expungement possibilities

Parking tickets



OVERVIEW OF EXPUNGEMENT PROCESS

Petition or application is filed in same court/county as original case;

Hearing or appearance at criminal motion hour;

Prosecutors may object;

Expungement is *not* guaranteed;

If judge grants expungement, agencies have 60 days from order to seal records



FEES

Dismissals and acquittals are FREE

\$40 Certificate of Eligibility fee for all convictions

Misdemeanor convictions - \$100 per case number

Felony conviction - \$50 filing fee, then \$250 expungement fee if the expungement order is entered (the \$250 fee can be paid in installments for up to 18 months)

Filing fees can possibly be waived via IFP motion/order if client has limited income and resources



HELP WITH EXPUNGEMENT FEES

LABG partners with Goodwill & LFUCG to have expungement clinics

- If a client attends a Goodwill or LFUCG expungement clinic, the client may become eligible for financial assistance to pay for some of the client's expungement expenses.

Some managed care Medicaid companies also help with fees

- Anthem Kentucky Medicaid pays \$540 for expungement fees.



EXPUNGEMENT FILING RESOURCES

- **Public Defenders:** <https://dpa.ky.gov/home/clients/expungement/>
- **Expunge KY:** <https://expungeky.com/>
- **Kyjustice.org:** <https://www.kyjustice.org/>
- **Kentucky Court of Justice:** <https://kycourts.gov/AOC/Information-and-Technology/Pages/Expungement.aspx>



PART III

Certificates of Eligibility



CERTIFICATE OF ELIGIBILITY

Required for every petition for expungement of a conviction

1. Get form AOC-RU-009 at <https://kycourts.gov/AOC/Information-and-Technology/Documents/RU009.pdf> or <https://dpa.ky.gov/home/clients/expungement/>
2. Client needs to complete form
3. Check or money order to KY State Treasurer or online payment of \$40
4. Mail to AOC in Frankfort or submit online



CERTIFICATE OF ELIGIBILITY (continued)

Client receives certification – 3 parts

1. **Certification Notice** – Lists each charge and KSP's opinion on whether charges are expungeable
2. **AOC CourtNet** - Criminal history record
3. **KSP Criminal History Report**

Timeframe – Certification expires in 30 days.

KRS 431.079 indicates that Certificates are not authority.

Sample Certificate of Eligibility:

https://expungeky.com/wp-content/uploads/2022/01/Replica_KSP_Certification1-03-22.pdf



REPLICA
(1/03/22)

This is not a real Expungement Certification



REPLICA
(1/03/22)

EXPUNGEMENT ELIGIBILITY CERTIFICATION NOTICE

****Expungement certification expires 30 days from report date listed below.****

Report Date: 04/01/2020

Name: DOE, JONATHAN
Request ID: 41972555

DOB: 01/01/1975
SSN: XXX-XX-7777

This expungement certification contains 3 parts: (1) Certification Notice, (2) Kentucky State Police Criminal History Report and (3) Administrative Office of the Courts Criminal Record Report. The pages are sequentially numbered for authentication purposes.

Pursuant to KRS 431.079, the Administrative Office of the Courts and the Department of Kentucky State Police hereby certify that they have conducted a search of their respective criminal history repositories and that the subject identified above is or is not eligible for an expungement pursuant to KRS 431.076 or 431.078, for the charges listed below.

Arrest Date:		Case:	08-CR-001666	JEFFERSON	Eligible YES
Charge: 1	CRIMINAL MISCHIEF, 1ST DEGREE				
Disposition:	02/20/2012 GOILTY				
Arrest Date:		Case:	08-CR-001666	JEFFERSON	Eligible YES
Charge: 2	PROBATION VIOLATION (FOR FELONY OFFENSE)				
Disposition:	02/14/2013 GRANTED				
Arrest Date:		Case:	07-F-017555	JEFFERSON	Eligible YES
Charge: 1	CRIMINAL MISCHIEF, 1ST DEGREE				
Disposition:	03/27/2008 INDICTMENT BY GRAND JURY / INFORMATION				
Arrest Date:		Case:	98-M-001234	JEFFERSON	Eligible YES
Charge: 1	*OBS* THEFT BY DECEPTION-INCL COLD CHECKS UNDER \$300				
Disposition:	06/22/1998 GUILTY				
Arrest Date:		Case:	98-M-001234	JEFFERSON	Eligible YES
Charge: 2	*OBS* THEFT BY DECEPTION-INCL COLD CHECKS UNDER \$300				
Disposition:	06/22/1998 GUILTY				
Arrest Date:		Case:	01-M-271333	JEFFERSON	Eligible YES
Charge: 1	*OBS* POSSESSION OF MARIJUANA				
Disposition:	03/01/2002 DISMISSED				



Searchable UOR Codes:

https://kycourts.gov/AOC/Information-and-Technology/Analytics%20Documents/uor_description.pdf

BATCH ID: 0003076666

REQUEST ID: 41979999

Request Information Provided

Name: **DOE, JONATHAN**

DOB: **01/01/1975**

DLN: **n/s**

All Information Provided Above Has Been Used To Fulfill Your Request
On **02/21/2020 04:16 PM**

***** NOT AN OFFICIAL COURT RECORD *****

RECORDS UNIT | 1001 VANDALAY DRIVE | FRANKFORT, KY 40601 | (800) 928-6381

Name: **DOE, JONATHAN MOORE** DOB: **01/01/1975** Gender: **M** Race: **W**

Case Filed on **03/27/2008** in **JEFFERSON** County as case number **08-CR-001666**

Bail of **PERSONAL RECOGNIZANCE** for the amount of **\$0.00** was set on **10/02/2012** and posted on **n/a**

Charge 1 Original Filed on 03/27/2008

0014010

CRIMINAL MISCHIEF, 1ST DEGREE

Disposed on 02/20/2012 as GUILTY

Sentenced on 02/21/2012

SUPER FEE \$15.00 PER MO SAME RESTITUTION ORDER

Prison Assessed

2 YRS

Prison Suspended

2 YRS

Supervised Probation

5 YRS

Cost

Fine

Fine Suspended

Fine Conditional

Charge 2 Original Filed on 07/27/2012

0026680

PROBATION VIOLATION (FOR FELONY
OFFENSE)

Disposed on 02/14/2013 as GRANTED

Sentenced on 02/14/2013

Prison Assessed

2 YRS

Name: **DOE, JONATHAN MOORE** DOB: **01/01/1975** Gender: **M** Race: **W**

Case Filed on **12/21/2007** in **JEFFERSON** County as case number **07-F-017555**

Bail of **NO BAIL SET (DEF MAY NOT POST BOND)** for the amount of **\$0.00** was set on **12/21/2007** and posted on **n/a**

Charge 1 Original Filed on 12/21/2007

0014010

CRIMINAL MISCHIEF, 1ST DEGREE

Disposed on 03/27/2008 as INDICTMENT BY GRAND JURY / INFORMATION

UOR CODES

0014002	512.020	*OBS* SOLC CRIMINAL MISCHIEF - 1ST DEGREE	A	Misdemeanor
0014003	512.020	*OBS* CONS CRIMINAL MISCHIEF - 1ST DEGREE	A	Misdemeanor
0014004	512.020	*OBS* FACL CRIMINAL MISCHIEF - 1ST DEGREE	A	Misdemeanor
0014005	512.020	*OBS* COMP CRIMINAL MISCHIEF - 1ST DEGREE	D	Felony
0014010	512.020	CRIMINAL MISCHIEF, 1ST DEGREE	D	Felony
0014011	512.020	ATT CRIMINAL MISCHIEF, 1ST DEGREE	A	Misdemeanor
0014012	512.020	SOLC CRIMINAL MISCHIEF, 1ST DEGREE	A	Misdemeanor

Page 43 of 338

Run Date: 7/16/2018

<u>UOR Code</u>	<u>KRS</u>	<u>UOR Description</u>	<u>Class</u>	<u>Level</u>
0014013	512.020	CONS CRIMINAL MISCHIEF, 1ST DEGREE	A	Misdemeanor
0014014	512.020	FACL CRIMINAL MISCHIEF, 1ST DEGREE	A	Misdemeanor
0014015	512.020	COMP CRIMINAL MISCHIEF, 1ST DEGREE	D	Felony
0014020	512.030	CRIMINAL MISCHIEF-2ND DEGREE	A	Misdemeanor
0014021	512.030	ATT CRIMINAL MISCHIEF-2ND DEGREE	B	Misdemeanor
0014022	512.030	SOLC CRIMINAL MISCHIEF-2ND DEGREE	B	Misdemeanor
0014023	512.030	CONS CRIMINAL MISCHIEF-2ND DEGREE	D	Felony



PART IV

Court Expungement Process



AOC Petitions & Orders

- ▶ <https://kycourts.gov/Legal-Forms/Pages/default.aspx>

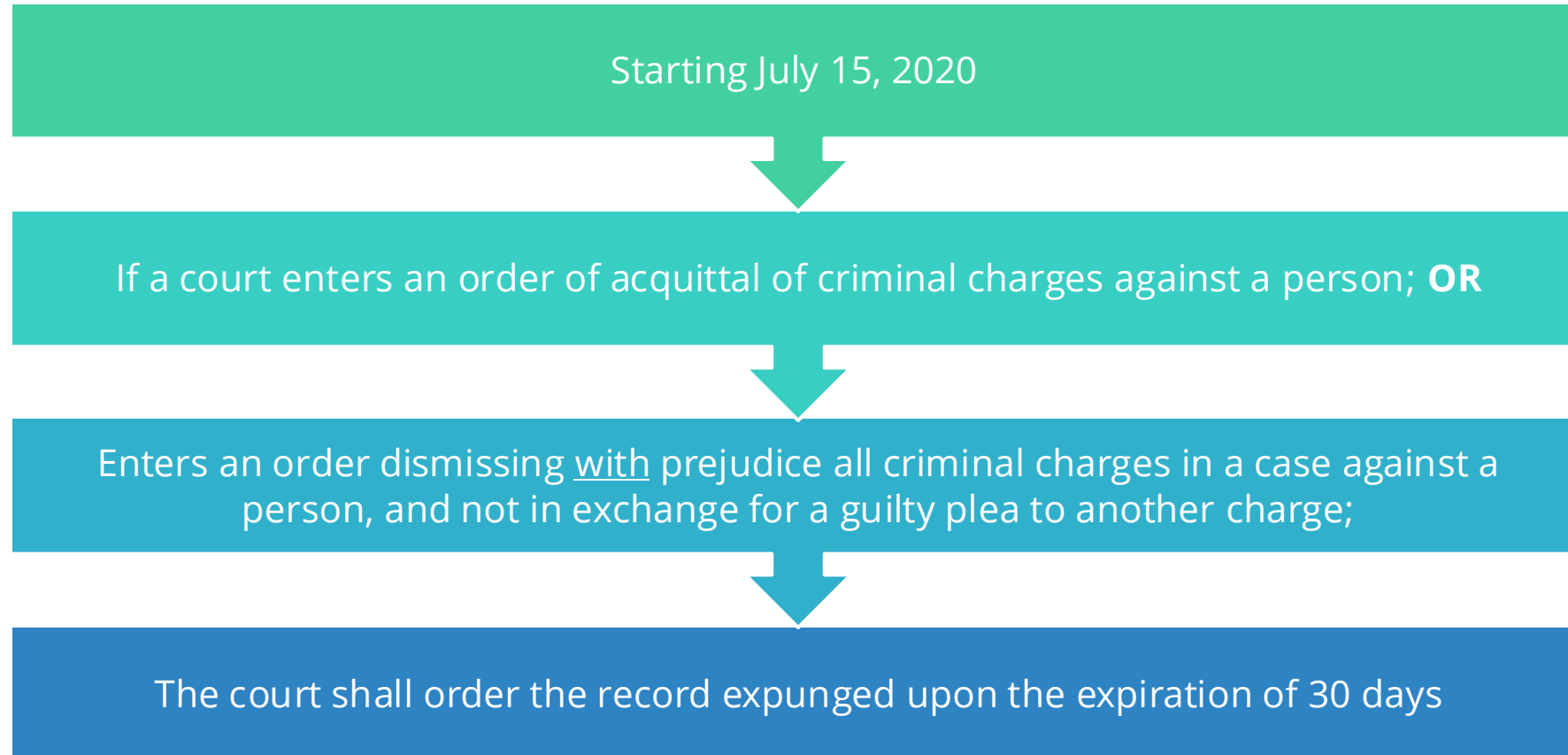


PART IV_(a)

Dismissed Charges & Acquittals



EXPUNGEMENTS OF DISMISSED CHARGES & ACQUITTALS



DISMISSED CHARGES & ACQUITTALS (continued)

For dismissals and acquittals prior to July 15, 2020, you can petition for an expungement when:

1. **60 days** have passed since the order of acquittal or dismissal **with prejudice** by the court
2. For charges **dismissed without prejudice**:
 - **3 years** for felony dismissals without prejudice
 - **1 year** for misdemeanor dismissals without prejudice



NOTE: A SEPARATE PETITION MUST BE FILED FOR EACH CRIMINAL CASE AND THE CHARGE(S) MUST BE LISTED IN THIS MOTION FOR THE CHARGE(S) TO BE EXPUNGED.

AOC-497.2 Rev. 7-20 Page 1 of 2	Doc. Code: PEXA		Case No. 01-F-0001
Commonwealth of Kentucky Court of Justice www.kycourts.gov			Court District
PETITION FOR EXPUNGEMENT (FOR ACQUITTAL, DISMISSAL, OR FAILURE TO INDICT)			County <u>Fayette</u>
KRS 431.076			Division <u>5</u>

COMMONWEALTH OF KENTUCKY PLAINTIFF
VS.
John Doe NAME DEFENDANT
c/o Legal Aid of the Bluegrass: 104 E. 7th Street ADDRESS
Covington, KY 41011
(859) 431-8200 PHONE NUMBER Jail ID Number (optional)
Defendant's Birthdate: 01/15/1969 Defendant's SSN: ***-**-1234 Violation/Arrest Date: 12/24/2000

Comes now the Defendant herein and petitions the Court, pursuant to KRS 431.076, to expunge the following charges which were either acquitted, dismissed, or did not result in indictment in the above-referenced case:

CHARGE: POCS, 1st Deg, 1st Off- Cocaine CHARGE: _____
CHARGE: Buy/Possess Drug Paraphernalia CHARGE: _____
CHARGE: _____ CHARGE: _____

In support of this Petition, the Defendant states as follows: *(check all that apply)*

- ☐ At least sixty (60) days prior to filing this Petition, the Defendant was **acquitted** of the above-listed charge(s) and the charge(s) was/were not expunged pursuant to KRS 431.076(1)(a);
- ☐ At least sixty (60) days prior to filing this Petition, the above-listed charge(s) was/were **dismissed with prejudice** and said dismissal was NOT in exchange for a guilty plea to another offense and the charge(s) was/were not expunged pursuant to KRS 431.076(1)(a);
- ☒ For felony charges, at least three (3) years prior to the filing of this Petition, the above-listed charge(s) was/were **dismissed without prejudice** and said dismissal was NOT in exchange for a guilty plea to another offense;
- ☒ For misdemeanor charges, at least one (1) year prior to the filing of this Petition, the above-listed charge(s) was/were **dismissed without prejudice** and said dismissal was NOT in exchange for a guilty plea to another offense; AND
- ☐ The above-listed felony charge(s) originally filed in District Court has/have not resulted in an indictment by the grand jury or in an information filed by the Commonwealth's Attorney, and six (6) months have elapsed since the date of the District Court decision to hold the matter to the grand jury.

The Defendant prays that this Petition for Expungement for Acquittal, Dismissal, or Failure to Indict be granted and that this Court enter an Order that the following agencies expunge any records in the agencies' custody regarding these charges:

LIST AGENCIES AND ADDRESSES HERE: (Records may be held at multiple agencies. Please identify any government agency that may have a record of your charge(s) such as, but not limited to, jail facilities or arresting agencies.)

KSP: 1266 Louisville Road, Frankfort, KY 40601; Pre-Trial Services: 1001 Vandalay Dr., Frankfort, KY 40601; E-Warrant System: 200 Mero St., Frankfort, KY 40622; AOC: 1001 Vandalay Dr., Frankfort, KY 40601; DOC: Health Services Building, 275 East Main Street, PO Box 2400, Frankfort, KY 40601; NCIC: 1000 Custer Hollow Rd., Clarksburg, West Virginia 26306; Fayette Co. Sheriff: 150 N. Limestone, #265, Lexington, KY 40507; Lexington PD: 150 E. Main Street, Lexington, KY 40507; Fayette Co. Commonwealth Attorney: 116 North Upper St., Ste. 300, Lexington, KY 40507



Note: Defendant/Petitioner must sign this petition **in the presence of** a notary **or** the circuit court clerk so that the clerk can witness his/her signature.

_____, 2_____
Date

Defendant/Petitioner Signature

Subscribed and sworn to before me by _____ this _____ day of _____, 2_____.
My Commission Expires: _____

Notary/Clerk

By: _____, D.C.

NOTICE TO COMMONWEALTH/COUNTY ATTORNEY

If this Petition is brought under KRS 431.076(1)(c) a response may be filed within ninety (90) days after the filing of the Petition. If a response is not filed, the charges will be dismissed without prejudice and an order shall be entered expunging the records. If a response is filed, the Court shall dismiss the charges without prejudice ninety (90) days after the filing of the response.

For Clerk Use Only

This Petition for Expungement was sent on the _____ day of _____, _____, to Defendant/Petitioner or his/her Attorney; the County or Commonwealth's Attorney, as appropriate.

Clerk

By: _____, D.C.





FAILURE TO INDICT / "BOUND OVER"

- **Bound Over.** Felony cases that have been "bound over" to the Grand Jury and do not result in an indictment are eligible for dismissal and expungement 6 months after the case is "bound over."
- **No Hearing.**
- **Service.** Expungement petition must be served upon the County or Commonwealth's Attorney. KRS 431.076(3)(b).
 - Prosecution has 90 days to respond. KRS 431.076(3)(b)(2).
 - If a response is not filed in 90 days, the Court "shall dismiss the charges without prejudice and order the expunging of the records." KRS 431.076(3)(b)(3).
- **Time Frame.** If a response is filed, and if 90 days after the filing date an indictment has not been issued, the Court "shall dismiss without prejudice" and issue an order expunging. KRS 431.076(3)(b)(4).



NOTE: A SEPARATE PETITION MUST BE FILED FOR EACH CRIMINAL CASE AND THE CHARGE(S) MUST BE LISTED IN THIS MOTION FOR THE CHARGE(S) TO BE EXPUNGED.

AOC-497.2 Rev. 7-20 Page 1 of 2	Doc. Code: PEXA		Case No. <u>02-F-0003</u>
Commonwealth of Kentucky Court of Justice www.kycourts.gov			Court <u>District</u>
KRS 431.076			County <u>Fayette</u> 
PETITION FOR EXPUNGEMENT (FOR ACQUITTAL, DISMISSAL, OR FAILURE TO INDICT)			Division <u>5</u>

COMMONWEALTH OF KENTUCKY

PLAINTIFF

VS.

John Doe

NAME

DEFENDANT

c/o Legal Aid of the Bluegrass: 104 E. 7th Street

ADDRESS

Covington, KY 41011

(859) 431-8200

PHONE NUMBER

Jail ID Number _____ (optional)

Defendant's Birthdate: 01/15/1969 Defendant's SSN: ***-**-1234 Violation/Arrest Date: 03/01/2002

Comes now the Defendant herein and petitions the Court, pursuant to KRS 431.076, to expunge the following charges which were either acquitted, dismissed, or did not result in indictment in the above-referenced case:

CHARGE: Receiving Stolen Property O/ \$10,000

CHARGE: _____

CHARGE: _____

CHARGE: _____

CHARGE: _____

CHARGE: _____

In support of this Petition, the Defendant states as follows: *(check all that apply)*

- ☐ At least sixty (60) days prior to filing this Petition, the Defendant was **acquitted** of the above-listed charge(s) and the charge(s) was/were not expunged pursuant to KRS 431.076(1)(a);
- ☐ At least sixty (60) days prior to filing this Petition, the above-listed charge(s) was/were **dismissed with prejudice** and said dismissal was NOT in exchange for a guilty plea to another offense and the charge(s) was/were not expunged pursuant to KRS 431.076(1)(a);
- ☐ For felony charges, at least three (3) years prior to the filing of this Petition, the above-listed charge(s) was/were **dismissed without prejudice** and said dismissal was NOT in exchange for a guilty plea to another offense;
- ☐ For misdemeanor charges, at least one (1) year prior to the filing of this Petition, the above-listed charge(s) was/were **dismissed without prejudice** and said dismissal was NOT in exchange for a guilty plea to another offense; AND
- ☒ The above-listed felony charge(s) originally filed in District Court has/have not resulted in an indictment by the grand jury or in an information filed by the Commonwealth's Attorney, and six (6) months have elapsed since the date of the District Court decision to hold the matter to the grand jury.

The Defendant prays that this Petition for Expungement for Acquittal, Dismissal, or Failure to Indict be granted and that this Court enter an Order that the following agencies expunge any records in the agencies' custody regarding these charges:

LIST AGENCIES AND ADDRESSES HERE: (Records may be held at multiple agencies. Please identify any government agency that may have a record of your charge(s) such as, but not limited to, jail facilities or arresting agencies.)

KSP: 1266 Louisville Road, Frankfort, KY 40601; Pre-Trial Services: 1001 Vandalay Dr., Frankfort, KY 40601; E-Warrant System: 200 Mero St., Frankfort, KY 40622; AOC: 1001 Vandalay Dr., Frankfort, KY 40601; DOC: Health Services Building, 275 East Main Street, PO Box 2400, Frankfort, KY 40601; NCIC: 1000 Custer Hollow Rd., Clarksburg, West Virginia 26306; Fayette Co. Sheriff: 150 N. Limestone, #265, Lexington, KY 40507; Lexington PD: 150 E. Main Street, Lexington, KY 40507; Fayette Co. Commonwealth Attorney: 116 North Upper St., Ste. 300, Lexington, KY 40507



Note: Defendant/Petitioner must sign this petition **in the presence of** a notary **or** the circuit court clerk so that the clerk can witness his/her signature.

_____, 2_____
Date

Defendant/Petitioner Signature

Subscribed and sworn to before me by _____ this _____ day of _____, 2____.

My Commission Expires: _____
Notary/Clerk

By: _____, D.C.

NOTICE TO COMMONWEALTH/COUNTY ATTORNEY

If this Petition is brought under KRS 431.076(1)(c) a response may be filed within ninety (90) days after the filing of the Petition. If a response is not filed, the charges will be dismissed without prejudice and an order shall be entered expunging the records. If a response is filed, the Court shall dismiss the charges without prejudice ninety (90) days after the filing of the response.

For Clerk Use Only

This Petition for Expungement was sent on the _____ day of _____, _____, to Defendant/Petitioner or his/her Attorney; the County or Commonwealth's Attorney, as appropriate.

Clerk

By: _____, D.C.



“Citation Cases”

Arrest Date:	02/23/1980	Case:	A19571202	FAYETTE	<u>Eligible</u> YES
Charge: 1	RECEIVING STOLEN PROP, OVER \$100				
Disposition:	02/23/1980 UNKNOWN				
Arrest Date:	01/19/1981	Case:	A19571204	FAYETTE	<u>Eligible</u> YES
Charge: 1	REC STOL PROP				
Disposition:	01/19/1981 UNKNOWN				
Arrest Date:	01/05/1983	Case:	A19571206	FAYETTE	<u>Eligible</u> YES
Charge: 1	THEFT BY UNLAWFUL TAKING (3 Counts)TS				
Disposition:	01/05/1983 UNKNOWN				
Arrest Date:	02/09/1984	Case:	A19571207	FAYETTE	<u>Eligible</u> YES
Charge: 2	ASSAULT 4TH DEGREE				
Disposition:	02/09/1984 UNKNOWN				



NOTE: A SEPARATE PETITION MUST BE FILED FOR EACH CRIMINAL CASE AND THE CHARGE(S) MUST BE LISTED IN THIS MOTION FOR THE CHARGE(S) TO BE EXPUNGED.

AOC-497.2 Doc. Code: PEXA
Rev. 7-20
Page 1 of 2

Commonwealth of Kentucky
Court of Justice www.kycourts.gov

KRS 431.076



PETITION FOR EXPUNGEMENT
(FOR ACQUITTAL, DISMISSAL, OR FAILURE TO INDICT)

Case No. A19571202

Court District

County Fayette

Division _____

COMMONWEALTH OF KENTUCKY

PLAINTIFF

VS.

John Doe

NAME

DEFENDANT

c/o Legal Aid of the Bluegrass: 104 E. 7th Street

ADDRESS

Covington, KY 41011

(859) 431-8200

PHONE NUMBER

Jail ID Number _____ (optional)

Defendant's Birthdate: 01/02/1960 Defendant's SSN: ***-**-1234 Violation/Arrest Date: 02/23/1980

Comes now the Defendant herein and petitions the Court, pursuant to KRS 431.076, to expunge the following charges which were either acquitted, dismissed, or did not result in indictment in the above-referenced case:

CHARGE: Receiving Stolen Property O/ \$100

CHARGE: _____

CHARGE: _____

CHARGE: _____

CHARGE: _____

CHARGE: _____

In support of this Petition, the Defendant states as follows: *(check all that apply)*

- ☐ At least sixty (60) days prior to filing this Petition, the Defendant was **acquitted** of the above-listed charge(s) and the charge(s) was/were not expunged pursuant to KRS 431.076(1)(a);
- ☒ At least sixty (60) days prior to filing this Petition, the above-listed charge(s) was/were **dismissed with prejudice** and said dismissal was NOT in exchange for a guilty plea to another offense and the charge(s) was/were not expunged pursuant to KRS 431.076(1)(a);
- ☐ For felony charges, at least three (3) years prior to the filing of this Petition, the above-listed charge(s) was/were **dismissed without prejudice** and said dismissal was NOT in exchange for a guilty plea to another offense;
- ☐ For misdemeanor charges, at least one (1) year prior to the filing of this Petition, the above-listed charge(s) was/were **dismissed without prejudice** and said dismissal was NOT in exchange for a guilty plea to another offense; AND
- ☐ The above-listed felony charge(s) originally filed in District Court has/have not resulted in an indictment by the grand jury or in an information filed by the Commonwealth's Attorney, and six (6) months have elapsed since the date of the District Court decision to hold the matter to the grand jury.

The Defendant prays that this Petition for Expungement for Acquittal, Dismissal, or Failure to Indict be granted and that this Court enter an Order that the following agencies expunge any records in the agencies' custody regarding these charges:

LIST AGENCIES AND ADDRESSES HERE: (Records may be held at multiple agencies. Please identify any government agency that may have a record of your charge(s) such as, but not limited to, jail facilities or arresting agencies.)

KSP: 1266 Louisville Road, Frankfort, KY 40601; Pre-Trial Services: 1001 Vandalay Dr., Frankfort, KY 40601; E-Warrant System: 200 Mero St., Frankfort, KY 40622; AOC: 1001 Vandalay Dr., Frankfort, KY 40601; DOC: Health Services Building, 275 East Main Street, PO Box 2400, Frankfort, KY 40601; NCIC: 1000 Custer Hollow Rd., Clarksburg, West Virginia 26306; Fayette Co. Sheriff: 150 N. Limestone, #265, Lexington, KY 40507; Lexington PD: 150 E. Main Street, Lexington, KY 40507; Fayette Co. Commonwealth Attorney: 116 North Upper St., Ste. 300, Lexington, KY 40507



PART IV_(b)

Misdemeanors, Violations, & Traffic Infractions



MISDEMEANOR, VIOLATION, OR TRAFFIC INFRACTION CONVICTION EXPUNGEMENT REQUIREMENTS

No pending felony or misdemeanor charges;

No felony or misdemeanor convictions for 5 years *prior to filing*;

5 years have passed *since* completion of the sentence or probation *for the conviction you are trying to expunge*;


The offense was *not* a sex offense or a crime against a child; *and*

The offense is not subject to enhancement, or the time period for enhancement has passed.

Most misdemeanors are eligible *except* those with enhancement periods; for those the client must wait until the enhancement period has expired (*e.g.*, DUI – 10 years).



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 EXPUNGEMENT ELIGIBILITY CERTIFICATION MUST BE ATTACHED TO THIS PETITION.

AOC-496.2 Rev. 7-16 Page 1 of 2 Commonwealth of Kentucky Court of Justice www.courts.ky.gov KRS 431.078; 218A.275(8); 218A.276(8); 431.079	Doc. Code: PEXC  PETITION FOR EXPUNGEMENT (FOR MISDEMEANOR, VIOLATION, OR TRAFFIC INFRACTION CONVICTION)	Case No. 00-M-1234 Court District County Fayette Division 5
---	--	--

COMMONWEALTH OF KENTUCKY

PLAINTIFF

VS.

Jane Doe

NAME

DEFENDANT

c/o Legal Aid of the Bluegrass: 104 E. 7th Street

ADDRESS

Covington KENTUCKY 41011

(859) 431-8200

PHONE NUMBER

Jail ID Number (optional)

Defendant's Birthdate: 01/02/1968 Defendant's SSN: ***-**-1234 Violation/Arrest Date: 01/02/2000

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

CHARGE: Failure to Maintain Required Insurance - 1st Offense

CHARGE: Contempt of Court

CHARGE: Operate MV U/Influ Alc/Drugs .08 1st Offense

CHARGE:

CHARGE: Failure to Wear Seat Belts

CHARGE:

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


1. The Defendant was convicted of the misdemeanor(s), violation(s) or traffic infraction(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 not, been convicted of a felony or misdemeanor in the five years prior to the filing of this Petition.
4. The offense(s) is/are not subject to enhancement for a second or subsequent offense or the time for such enhancement has expired.
5. No proceeding concerning a felony or misdemeanor is pending or being instituted against Defendant.
6. 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; **OR** ☐ involves Defendant's 1st conviction for possession of controlled substances voided under KRS 218A.275(8); **OR** ☐ involves a conviction for possession of marijuana or synthetic drugs or salvia voided under KRS 218A.276(8).
7. 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:

Officer Smith- Lexington Police Department: 150 East Main Street, Lexington, KY
40507



County Fayette 
Case No. 00-M-1234

The Defendant prays that this Petition for Expungement of a Misdemeanor, Violation, or Traffic Infraction Conviction be granted and that this Court enter an Order that the following agencies expunge any records in the agencies custody regarding these charges: **LIST AGENCIES AND ADDRESSES HERE:**

KSP: 1266 Louisville Road, Frankfort, KY 40601; Pre-Trial Services: 1001 Vandalay Dr., Frankfort, KY 40601; E-Warrant System: 290 Mere St., Frankfort, KY 40622; AOC: 1001 Vandalay Dr., Frankfort, KY 40601; DOC: Health Services Building, 275 East Main Street, PO Box 2400, Frankfort, KY 40601; NCIC: 1000 Custer Hollow Rd., Clarksburg, West Virginia 26306; Fayette Co. Sheriff: 150 N. Limestone, #265, Lexington, KY 40507; Lexington PD: 150 E. Main Street, Lexington, KY 40507; Fayette Co. Commonwealth Attorney: 116 North Upper St., Ste. 300, Lexington, KY 40507

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

Date: _____, _____, _____
Defendant/Petitioner Signature

Subscribed and sworn to before me by _____
this _____ day of _____, _____.

Notary/Clerk
My commission expires: _____, _____ By: _____ D.C.

THERE IS A \$100 FEE PER CASE, PAYABLE AT THE TIME OF FILING. THE CLERK CANNOT TAKE YOUR PETITION WITHOUT PROPER PAYMENT OF THE FEE. IF AN EXPUNGEMENT ORDER IS NOT GRANTED, \$50.00 OF THIS FEE IS NOT REFUNDABLE.

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 _____, _____.

Clerk
By: _____ D.C.

FOR CLERK USE ONLY

This Petition for Expungement was sent on the _____ day of _____, _____, to Defendant/ Petitioner or his/her attorney; the County Attorney; all crime victim(s) identified by Defendant/Petitioner or in 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.



PART IV_(c)

Felony Expungement



FELONY EXPUNGEMENT

Previously one per lifetime

- New law took effect 6/29/2023 allows for expungement of multiple felonies.

Must wait 5 years after completion of sentence or successful completion of probation or parole for the felony

Cannot have any other convictions or pending felony or misdemeanor charges 5 years prior to filing of the petition

Must be an eligible Class D felony



FELONY EXPUNGEMENT (continued)

Eligible Enumerated Class D felonies are listed at KRS 431.073(1)(a)

KRS 431.073(1)(d) allows a person to file an application to vacate and expunge a conviction of:

- Any Class D felony or any offense prior to January 1, 1975,
- Which was punishable by not more than 5 years' incarceration

Except that the following cannot be expunged:

- Felony DUI (DUI 4th or greater)
- Felony Assault 4th (DV enhanced)
- Impersonating a police officer
- Sex offenses
- Offenses committed against a child
- Crimes causing serious bodily injury or death



LIST OF ENUMERATED FELONIES UNDER KRS 431.073(1)(A)

[Expungement Certification Process - Kentucky Court of Justice \(kycourts.gov\)](https://www.kycourts.gov)





**APPLICATION TO VACATE AND
EXPUNGE FELONY CONVICTION**

Case No. 05-CR-00005

Court Circuit

County Fayette

Division 7

COMMONWEALTH OF KENTUCKY

PLAINTIFF

VS.

John Doe

NAME

DEFENDANT

c/o Legal Aid of the Bluegrass: 104 E. 7th Street

ADDRESS

Covington, KY 41011

(859) 431-8200

PHONE NUMBER

Jail ID Number _____ (optional)

Defendant's Birthdate: 01/15/1969

Defendant's SSN: ***-**-1234

Violation/Arrest Date: 03/04/2005

Comes now the Defendant herein and moves this Court, under KRS 431.073, to vacate the conviction and expunge the following offense(s) in the above-referenced case: *(If requesting expungement of the entire case, then all charges must be listed, including any non-felony charges. Attach additional sheet, if needed.)*

CHARGE: POCS, 1st Degree, 1st Offense-Cocaine

CHARGE: _____

CHARGE: Possession of Marijuana

CHARGE: _____

CHARGE: _____

CHARGE: _____

(If the above-referenced case originated in district court, list the underlying district court case number(s) and charge(s) to be expunged.)

CASE NO.: 04-F-01234

CHARGE: POCS, 1st Degree, 1st Offense-Cocaine

CHARGE: _____

CHARGE: Possession of Marijuana

CHARGE: _____

CHARGE: _____

CHARGE: _____

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

1. The Defendant was charged with or convicted of the offense(s) listed above.
2. The above-stated offense(s) is/are eligible to be vacated and expunged as follows: ***(check only one)***
 - ☒ the offense is one of the eligible offenses listed in KRS 431.073(1)(a).
 - ☐ the offenses are a series of eligible offenses listed in KRS 431.073(1)(a) which arose from a single incident.
 - ☐ a full pardon has been granted by the Governor, a copy of which is attached.
 - ☐ the offense is an eligible offense under KRS 431.073(1)(d). *(Must complete section 8 on page 2.)*
 - ☐ the offenses are multiple eligible offenses under KRS 431.073(1)(d). *(Must complete section 8 on page 2.)*
3. The Defendant has not, in the five years prior to the filing of this Application, been convicted of a felony or misdemeanor.
4. No proceeding concerning a felony or misdemeanor is pending or being instituted against the Defendant.
5. This Application is filed no sooner than five years after completion of the Defendant's sentence or successful completion of the Defendant's probation or parole, whichever occurs later.



6. List the names of all victims of the crimes listed above (if known):

Victims: _____

7. (Complete this section only if applying for expungement under KRS 431.073(1)(d). *Attach additional sheets, if needed.)

a. Did you complete any rehabilitative activities/programs in prison? (such as, but not limited to, education, counseling, alcohol or substance abuse programs, parenting classes, work programs) _____

b. Since you have been released, have you participated in any rehabilitative activities/programs? _____

c. How have you changed since being convicted or released (if incarcerated)? _____

d. Give examples of how you have been living a law-abiding life since being convicted/released. _____

e. What impact has a felony conviction had on your life? _____

f. If expungement is granted, how will this make a difference in your life? _____

g. Is there anything else you would like the Court to know as it considers whether to grant or deny this Application? _____

The Defendant moves that this Application to Vacate and Expunge a Felony Conviction be granted and that this Court enter an Order that the Kentucky State Police, the Kentucky Department of Libraries and Archives, and the following agencies expunge any records in the agencies' custody regarding these charges: **LIST AGENCIES AND ADDRESSES HERE: (Records may be held at multiple agencies. Please identify any government agency that may have a record of your conviction such as, but not limited to, jail facilities or arresting agencies.)**

KSP: 1266 Louisville Road, Frankfort, KY 40601; Pre-Trial Services: 1001 Vandalay Dr., Frankfort, KY 40601

E-Warrant System: 200 Mero St., Frankfort, KY 40622; AOC: 1001 Vandalay Dr., Frankfort, KY 40601

NCIC: 1000 Custer Hollow Rd., Clarksburg, West Virginia 26306; Fayette Co. Sheriff: 150 N. Limestone, #265

Lexington PD: 150 E. Main Street, Lexington, KY 40507; Fayette Co. Jail: 600 Old Frankfort Circle



I hereby state that the information provided above is true and accurate to the best of my knowledge.

Note: Defendant/Applicant must sign this Application **in the presence of** a notary **or** the circuit court clerk so that the notary/clerk can witness his/her signature.

_____, 2_____
Date

Defendant/Applicant Signature

Subscribed and sworn to before me by _____ this _____ day of _____, 2_____.

Notary/Clerk

My Commission Expires: _____ By: _____ D.C.

There is a \$50 non-refundable filing fee per application, due at the time of filing. The clerk cannot take your application without proper payment of this fee.

If an expungement order is granted, you will be charged an additional fee of \$250 ("expungement fee"), which you may pay in installments. If you would like to ask the Court to establish an installment payment plan, you will need to fill out the request below. Please note that the expungement cannot be completed until payment in full is received.

A copy of your current expungement eligibility certification must be attached to this Application.

REQUEST FOR INSTALLMENT PAYMENT PLAN

- ☐ The Defendant requests that the Court establish an installment plan for the payment of the expungement fee of \$250.
Defendant requests to pay \$ _____ ☐ weekly ☐ every other week ☐ twice per month ☐ monthly
☐ other _____, until paid in full.

NOTICE TO COMMONWEALTH/COUNTY ATTORNEY

Pursuant to KRS 431.073(2), the office of the Commonwealth Attorney or County Attorney who prosecuted the case shall file a response to this Application within 60 days after being served with this notice. An extension may be granted for good cause, but a hearing on the Application shall occur no later than 120 days following the filing of the Application. The office of the Commonwealth or County Attorney shall notify the victim of the crime if there was an identified victim.

FOR CLERK USE ONLY

This Application to Vacate and Expunge a Felony Conviction was sent on the _____ day of _____, _____, to the Commonwealth or County Attorney who prosecuted the case and the County Attorney of the County where the Judgment was entered.

Clerk

By: _____ D.C.



FELONIES UNDER KRS 431.073(1)(D)

No requirement that offenses arise from a single incident

Heightened procedure for expungement – KRS 431.073(4)

Must answer questions demonstrating you have:

1. Been rehabilitated,
2. Are remorseful, and
3. Have been restored to a productive citizen

Hearing required within 60 to 120 days of Commonwealth's response



HEARING UNDER KRS 431.073(1)(D) & (4)

Petitioner has the burden of proving, by clear and convincing evidence, that the relief is:

Consistent with the welfare and safety of the public;

Supported by his/her behavior since the conviction, and he/she has been active in rehabilitative activities and living a law-abiding life since release;

Warranted by the interests of justice; and

Anything else important to the judge's decision



HEARING (CONTINUED)

Petitioner may testify (they should)

Commonwealth may put on proof - including testimony of victim

Judge shall order an expungement if they determine that:

1. The circumstances warrant the expungement, and
2. The harm resulting to the petitioner clearly outweighs public interest in the record remaining publicly available



AOC-496.3 Doc. Code: AFEX
Rev. 6-23
Page 1 of 3

Commonwealth of Kentucky
Court of Justice www.kycourts.gov

KRS 431.073; 431.079



**APPLICATION TO VACATE AND
EXPUNGE FELONY CONVICTION**

Case No. 04-CR-00345

Court Circuit

County Fayette

Division 9

COMMONWEALTH OF KENTUCKY

PLAINTIFF

VS.

John Doe

NAME

DEFENDANT

c/o Legal Aid of the Bluegrass: 104 E. 7th Street

ADDRESS

Covington, KY 41011

(859) 431-8200

PHONE NUMBER

Jail ID Number (optional)

Defendant's Birthdate: 01/15/1969

Defendant's SSN: ***-**-1234

Violation/Arrest Date: 07/04/2004

Comes now the Defendant herein and moves this Court, under KRS 431.073, to vacate the conviction and expunge the following offense(s) in the above-referenced case: *(If requesting expungement of the entire case, then all charges must be listed, including any non-felony charges. Attach additional sheet, if needed.)*

CHARGE: Traffic in Marijuana, 8oz to <5lbs, 1st Off

CHARGE: POCS, 1st Degree, 1st Offense

CHARGE: Buy/Possess Drug Paraphernalia- 1st

CHARGE:

CHARGE: Probation Violation (For Felony Offense)

CHARGE:

(If the above-referenced case originated in district court, list the underlying district court case number(s) and charge(s) to be expunged.)

CASE NO.:

CHARGE:

CHARGE:

CHARGE:

CHARGE:

CHARGE:

CHARGE:

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

1. The Defendant was charged with or convicted of the offense(s) listed above.
2. The above-stated offense(s) is/are eligible to be vacated and expunged as follows: ***(check only one)***
 - ☐ the offense is one of the eligible offenses listed in KRS 431.073(1)(a).
 - ☐ the offenses are a series of eligible offenses listed in KRS 431.073(1)(a) which arose from a single incident.
 - ☐ a full pardon has been granted by the Governor, a copy of which is attached.
 - ☐ the offense is an eligible offense under KRS 431.073(1)(d). *(Must complete section 8 on page 2.)*
 - ☒ the offenses are multiple eligible offenses under KRS 431.073(1)(d). *(Must complete section 8 on page 2.)*
3. The Defendant has not, in the five years prior to the filing of this Application, been convicted of a felony or misdemeanor.
4. No proceeding concerning a felony or misdemeanor is pending or being instituted against the Defendant.
5. This Application is filed no sooner than five years after completion of the Defendant's sentence or successful completion of the Defendant's probation or parole, whichever occurs later.



6. List the names of all victims of the crimes listed above (if known):

Victims: _____

7. (Complete this section only if applying for expungement under KRS 431.073(1)(d). *Attach additional sheets, if needed.)

a. Did you complete any rehabilitative activities/programs in prison? (such as, but not limited to, education, counseling, alcohol or substance abuse programs, parenting classes, work programs) See attached responses.

b. Since you have been released, have you participated in any rehabilitative activities/programs? See attached responses.

c. How have you changed since being convicted or released (if incarcerated)? See attached responses.

d. Give examples of how you have been living a law-abiding life since being convicted/released. See attached responses.

e. What impact has a felony conviction had on your life? See attached responses.

f. If expungement is granted, how will this make a difference in your life? See attached responses.

g. Is there anything else you would like the Court to know as it considers whether to grant or deny this Application? See attached responses.

The Defendant moves that this Application to Vacate and Expunge a Felony Conviction be granted and that this Court enter an Order that the Kentucky State Police, the Kentucky Department of Libraries and Archives, and the following agencies expunge any records in the agencies' custody regarding these charges: **LIST AGENCIES AND ADDRESSES HERE: (Records may be held at multiple agencies. Please identify any government agency that may have a record of your conviction such as, but not limited to, jail facilities or arresting agencies.)**

KSP: 1266 Louisville Road, Frankfort, KY 40601; Pre-Trial Services: 1001 Vandalay Dr., Frankfort, KY 40601

E-Warrant System: 200 Mero St., Frankfort, KY 40622; AOC: 1001 Vandalay Dr., Frankfort, KY 40601

NCIC: 1000 Custer Hollow Rd., Clarksburg, West Virginia 26306; Fayette Co. Sheriff: 150 N. Limestone, #265

Lexington PD: 150 E. Main Street, Lexington, KY 40507; Fayette Co. Jail: 600 Old Frankfort Circle

COMMONWEALTH OF KENTUCKY

CIRCUIT COURT
FOURTH DIVISION
CASE NO: _____

COMMONWEALTH OF KENTUCKY

PLAINTIFF

VS:

DEFENDANT

ANSWERS TO SECTION 8 ON AOC-496.3

a. Did you complete any rehabilitative activities/programs in prison? (such as but not limited to, education, counseling, alcohol or substance abuse programs, parenting classes, work programs)

While incarcerated, I attended church programs regularly.

b. Since you have been released, have you participated in any rehabilitative activities/programs?

Since being released, I have attended financial stability and life skills programs through Santa Maria Community Services in Cincinnati, Ohio. I completed the necessary requirements to get my GED, and I also got my medical assistant certificate. I'm currently enrolled full-time at Cincinnati State University working to get my certificate in phlebotomy.

c. How have you changed since being convicted or released (if incarcerated)?

This conviction caused me to completely re-evaluate my life and grow up. I understand the seriousness of my mistake and what it has cost me. Since then, I've committed myself to staying out of trouble and setting an example for my children. I have no desire to participate in the behaviors associated with my old lifestyle.

d. Give examples of how you have been living a law-abiding life since being convicted/released.

I have had no further contact with the criminal justice system since being convicted.

e. What impact has a felony conviction had on your life?

Sample Answers to Section 7 of Felony Petition (continued).

Having a felony on my record has made it incredibly difficult to get a good job. It's nearly impossible for me to have a real career because most employers won't consider you when you're a convicted felon. This in turn makes me feel stressed about going into job interviews knowing that my application will probably be rejected once they run a background check. It takes a toll on my mental health figuring out how to support my family with limited employment opportunities.

f. If expungement is granted, how will this make a difference in your life?

If expungement is granted it will be life changing. I will finally be able to get a career that will allow me to provide for my family and have stability in my life. I won't be ashamed to apply for jobs because my record will be wiped clean. My long-term goal is to be a social worker, and having a clean record will allow me to complete the necessary schooling I need to achieve this goal.

g. Is there anything you would like the Court to know as it considers whether to grant or deny this Application?

I can honestly say that I'm not the same person I was back then, but when employers see the felony conviction on my record, they make a snap judgment about me based solely on my mistakes. I want to be seen for the progress I've made in turning my life around—not for my past mistakes. This is the final hurdle in putting my past behind me.



23 RS HB 369 (Effective 6/29/2023)

- ▶ Amended section (1)(d) of KRS 431.073
 - ▶ Instead of allowing persons to file for expungement who have been convicted of "a series of felony offenses," language reads "multiple felony offenses."
 - ▶ Removes what was formerly KRS 431.073(5)(a)
 - ▶ "The person had not, after June 27, 2019, had a felony conviction vacated and the record expunged pursuant to this section."
 - ▶ Allows a person to expunge multiple eligible Class D felonies, even if they previously had a felony conviction expunged after June 27, 2019.
- ▶ Amends KRS 610.330 (Juvenile Expungement Statute)
 - ▶ Allows petitioner to seek expungement from the juvenile court record of "any status offenses, or any public offenses which would be felonies, misdemeanors, or violations if committed by an adult."



PART IV_(d)

Juvenile Records



EXPUNGEMENT OF JUVENILE RECORDS (KRS 610.330)

Juvenile records may be expunged

- **Including misdemeanors, violations, single felony, or felonies arising from a single incident**
- Use form AOC-JV-30
- No filing fee
- KRS 635.040 - Adjudications in juvenile court are not convictions

2-year waiting period

- After the date of termination of the court's jurisdiction; or
- After the child's unconditional release from commitment; or
- May be waived upon a finding of extraordinary circumstances



EXPUNGEMENT OF JUVENILE RECORDS WILL NOT BE GRANTED IF:

Any proceedings are pending or being instituted

The offense is a sex crime – KRS 17.500;
OR

The offense would classify the person as a violent offender – KRS 439.3401





**PETITION TO VACATE AND
EXPUNGE JUVENILE RECORD**

Case No. 01-J-01234

Court ☒ District ☐ Family

County Fayette

Division 5

IN THE INTEREST OF: Jane Doe (now an adult), A CHILD

DOB	Sex	Race	SSN
01/02/1990	F	White	123-45-6789

The Petitioner, Jane Doe, located at c/o Legal Aid of the Bluegrass

Name (and Agency if applicable)

Address

104 E. 7th Street, Covington, KY 41011

, moves this Court, pursuant to KRS 610.330, to vacate the

adjudication of the below-named offenses and expunge the records of a person previously before this Court (hereinafter referred to as "the child") who has been adjudicated under KRS Chapters 630 (Status Offenses), 635 (Public Offenses which would be felonies, misdemeanors, or violations if committed by an adult), or 645 (Mental Health), but not under KRS Chapters 620 or 640, who resides at 123 Example Street

Child's Address

Lexington, KY 40507

. The Petitioner requests that the record of the following offense(s) in the above-referenced case be expunged:

OFFENSE: Giving Officer False Name or Address

OFFENSE: _____

OFFENSE: _____

OFFENSE: _____

OFFENSE: _____

OFFENSE: _____

In support of this Petition, the Petitioner states to the best of his or her knowledge or belief as follows:

1. There are no proceedings pending or being instituted against the above-referenced child;
2. The above-stated offense(s) is/are not a sex crime, as defined in KRS 17.500; and
3. The above-stated offense(s) would not classify a person as a violent offender under KRS 439.3401.
4. Please check only one:

☒ This Court's jurisdiction over the child ended on January 2nd, 2008, which is at least two years prior to the filing of this Petition, and the child was not committed to the Department of Juvenile Justice, the Cabinet for Health and Family Services, or to a public or private agency; or

☐ The child was unconditionally released from commitment to the Department of Juvenile Justice or the Cabinet for Health and Family Services or a public or private agency on _____, 2____, which is at least two years prior to the filing of this Petition; or

☐ The Court's waiver of the two year period is requested due to the extraordinary circumstances of:



The Petitioner requests this Court to set a date for a hearing in this matter, and to so notify the County Attorney and anyone else whom the Court or the child, parents, guardian, or custodian has reason to believe may have relevant information related to the expungement of the record. List the names and addresses of such persons:

Officer Smith- Lexington Police Department: 275 E. Main St., Lexington, KY 40507

WHEREFORE, the Petitioner requests this Court, pursuant to KRS 610.330, to vacate the adjudication in the above-referenced case and to order expunged all records in the child's case in the custody of the Court and any such records, including law enforcement records, in the custody of any other agency or official.

_____, 2_____
Date

Signature of Petitioner

123 Example Street

Lexington, KY 40507

(859) 123-1122

Address and Telephone of Petitioner

NOTIFICATION OF EXPUNGEMENT HEARING

This case is set for a hearing on _____, 2_____, at the hour of _____ ☐ a.m. ☐ p.m. at the
_____ ☐ District ☐ Family Court. Dated this _____ day of _____, 2_____.

The County Attorney may respond to this Petition and will have an opportunity at the hearing to establish that the child or offense is ineligible for expungement under KRS 610.330.

Clerk

By: _____ D.C.

FOR CLERK USE ONLY

This Petition for Expungement was sent on the _____ day of _____, 2_____, to Petitioner or his/
her attorney; the child or his/her attorney if different from Petitioner; the County Attorney; and anyone else who the Court
or the child, his or her parents, relatives, guardians, or custodians has reason to believe may have relevant information
related to the expungement of the record.

Clerk

By: _____ D.C.



EXPUNGEMENT OF DISMISSALS AND FINDINGS OF NON-DELINQUENCY



**COURT MUST
CONCURRENTLY ORDER THE
RECORD EXPUNGED**



**NO ACTION REQUIRED BY
THE CHILD**



PART IV_(e)

Pardons



PARDON BY GOVERNOR

A person who has received a pardon can apply for an expungement.

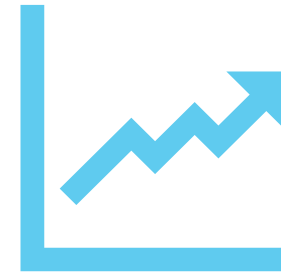


Apply for a pardon with the Governor here:
<https://governor.ky.gov/services/application-for-pardons-and-commutations>

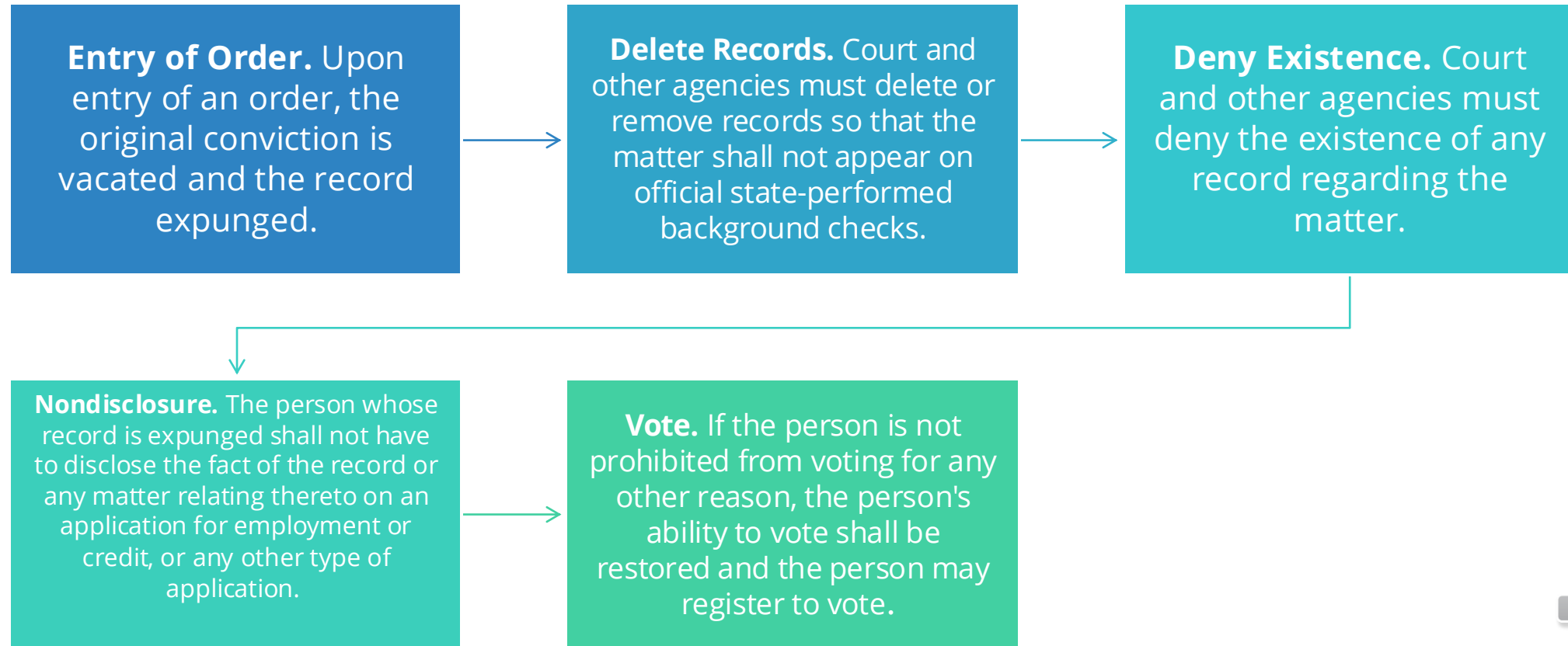


PART V

Impact of Expungement & Alternatives



IMPACT OF EXPUNGEMENT



EXPUNGEMENT ALTERNATIVES: VOID & SEAL

Statutes. KRS 218A.275(8) & KRS 218A.276(8)

Convictions. Court may void and seal:

- 1st time possession of controlled substance conviction
- Possession of marijuana, synthetic drugs, or salvia conviction
- Upon successful completion of sentence

Mix and Match. Can void and seal one case and expunge another

Cost. Free to file

Disclosure. A person does not need to disclose a sealed conviction



COMMONWEALTH OF KENTUCKY
[REDACTED] CIRCUIT COURT
CASE NO. [REDACTED]
DIVISION I

COMMONWEALTH OF KENTUCKY

PLAINTIFF

VS.

[REDACTED]

DEFENDANT

VERIFIED MOTION TO VOID AND SEAL CONVICTION OF POSSESSION OF CONTROLLED
SUBSTANCE

Comes now the Defendant, [REDACTED], through counsel, and respectfully moves this Honorable Court, pursuant to KRS 218A.275, to void and seal the records of the Defendant's arrest and conviction, and any proceedings in this case from the official records upon the following grounds:

1. [REDACTED] was charged on 06/27/2016 with Possession of a Controlled Substance, 1st Degree, 1st Offense- Heroin, 218A.1415;
2. On 06/29/2016, [REDACTED] entered a Guilty plea to the Possession of a Controlled Substance, 1st Degree charge;
3. [REDACTED] was sentenced on 08/12/2016 to three (3) years probated for three (3) years;
4. On 04/06/2018, [REDACTED] was ordered to successfully complete Mental Health Court;
5. The Court entered an order on 09/02/2020 stating that [REDACTED] successfully completed all phases of Mental Health Court;
6. The following records are related to the above conviction and sentence and as such should also be voided and sealed:

<u>COURT</u>	<u>CASE NUMBER</u>	<u>CHARGE(S)</u>
District	NO. [REDACTED]	POSSESSION OF CONTROLLED SUBSTANCE, 1 ST DEGREE, 1 ST OFFENSE-HEROIN

7. [REDACTED] has never previously been convicted of a comparable infraction;
8. Voiding and sealing this conviction will allow [REDACTED] access to better employment and housing



PRO BONO TOOLKIT

- LABG Pro Bono Expungement Toolkit



Working Effectively with Clients

- If a client is assigned to you who requires interpretation services, LABG will provide assistance.
- Remember – LABG's clients are low-income and may have limited access to technology and resources.
- Clients may run out of cell phone minutes and drop off in their communications with you.
- Others may struggle to attend appointments or court.
- Disabilities are common.
- Clients may raise issues that are not related to the case.
- Don't take challenges personally – they are usually about the situation and the barriers that poverty creates, not about you!
- Reach out to LABG to troubleshoot.





**For questions about expungements,
contact Courtney Brothers at:**

859-431-8200, ext. 2161 or
cbrothers@lablaw.org



**To volunteer, contact Bethanie
Mettling at:**

859-431-8200, ext. 1226 or
bmettling@lablaw.org

Contact Information



Reading criminal background checks: An Expungement Clinic Overview

Courtney K. Brothers, Esq.
April 17, 2024



LEGAL AID
— OF THE —
BLUEGRASS

859-431-8200
[https://lablaw.org/
apply-here](https://lablaw.org/apply-here)



Reading a Criminal Background Check



Background Checks: Things to Watch For

- ▶ Pending charges
- ▶ Misdemeanor or felony convictions that occurred within the past 5 years
 - ▶ Remember some traffic offenses are misdemeanors
- ▶ Conditional discharge or probation when calculating whether it has been 5 years since person completed their sentence for a particular conviction
- ▶ Enhancement periods
- ▶ Ineligible convictions (sex offenses, offenses against children, serious bodily injury/death; specifically excluded felonies)
- ▶ If convictions aren't eligible, look for eligible dismissed cases



RECORDS UNIT
1001 VANDALAY DRIVE
FRANKFORT, KY 40601



Administrative Office of the Courts

COURTNET Criminal History Record

AOC COURTNET DISPOSITION SYSTEM DISCLAIMER

Enclosed is a copy of information on cases you have had in Kentucky Courts. This **COURTNET** Disposition System record is being provided for your information. This request is generally made for **government housing, pre-employment searches, childcare workers, adoptions, or other purposes.**

This request was made by **LEGAL AID OF THE BLUEGRASS** and they have received a copy of this information. If you believe it contains any errors, or you have any questions, please feel free to contact us at **(502) 573-1682** or **(800) 928-6381**

The **Administrative Office of the Courts (AOC) CANNOT GUARANTEE** the accuracy of the attached information. If you believe there is an error contained in the record please contact Records Unit at (502) 573-1682.

Information received from **COURTNET** is subject to change, reprogramming, modifications of format and availability at the direction of the AOC, and may not at any particular moment reflect the **REAL** status of court cases due to ordinary limitations, delay or error in the system's operation.

The AOC disclaims any warranty as to the validity of the information obtained from **COURTNET**. The

BATCH ID: 0003862411

REQUEST ID: 55825905

Request Information Provided

Name: [REDACTED]

Alias: [REDACTED]

DOB: [REDACTED]

DLN: XX [REDACTED]

All Information Provided Above Has Been Used To Fulfill Your Request
On **05/11/2023 03:49 PM**

***** NOT AN OFFICIAL COURT RECORD *****

RECORDS UNIT | 1001 VANDALAY DRIVE | FRANKFORT, KY 40601 | (800) 928-6381

Name: [REDACTED] DOB: [REDACTED] Gender: [REDACTED] Race: [REDACTED]

Case Filed on **03/13/2023** in [REDACTED] County as case number **23-T** [REDACTED]

Court Date on **10/11/2023** for **DIVERSION** in room **n/s**

Charge **1** Original Filed on 03/10/2023 0000220 SPEEDING 22MPH OVER LIMIT
Disposed on 04/12/2023 as AMENDED

Charge **1** Amended Filed on 04/12/2023 0000010 SPEEDING 1 MPH OVER LIMIT
Disposed on 04/12/2023 as DIVERSION

Name [REDACTED] DOB: [REDACTED] Gender: [REDACTED] Race: [REDACTED]

Case Filed on **01/12/2018** in **FAYETTE** County as case number **18-T** [REDACTED]

Charge **1** Original Filed on 01/11/2018 0004030 OPERATING ON SUSPENDED/REVOKED
OPERATORS LICENSE
Disposed on 04/03/2018 as DISMISSED

Charge **2** Original Filed on 01/11/2018 0004800 FAILURE OF OWNER TO MAINTAIN
REQUIRED INSURANCE/SECURITY 1ST
Disposed on 04/03/2018 as GUILTY
Sentenced on 04/03/2018

Cost	\$143.00
Fine	\$500.00
Fine Probated	\$450.00

Name: [REDACTED] DOB: [REDACTED] Gender: [REDACTED] Race: [REDACTED]

Case Filed on **03/17/2017** in **FAYETTE** County as case number [REDACTED]

BATCH ID: 0003700501

REQUEST ID: 52874425

Request Information Provided

Name: [REDACTED]

DOB: [REDACTED]

DLN: XX [REDACTED]

All Information Provided Above Has Been Used To Fulfill Your Request
On **09/22/2022 02:33 PM**

***** NOT AN OFFICIAL COURT RECORD *****

RECORDS UNIT | 1001 VANDALAY DRIVE | FRANKFORT, KY 40601 | (800) 928-6381

Name: [REDACTED]

DOB: [REDACTED]

Gender: [REDACTED]

Race: [REDACTED]

Case Filed on **06/18/2022** in **FAYETTE** County as case number **22** [REDACTED]

***** PENDING CASE *****

Bail of **CASH** for the amount of **\$2,000.00** was set on **06/18/2022** and posted on **06/20/2022**

Court Date on **10/07/2022** for **PRETRIAL CONFERENCE** in room **3**

Charge **1** Original Filed on 06/17/2022

0031660

OPER MV U/INFL CONT SUB (189A.010(1D) - 3RD

Charge **2** Original Filed on 06/17/2022

0005190

FAILURE TO PRODUCE INSURANCE CARD

Name: [REDACTED]

DOB: [REDACTED]

Gender: [REDACTED]

Race: [REDACTED]

Case Filed on **12/05/2016** in **FAYETTE** County as case number **16**-[REDACTED]

Bail of **PARTIALLY SECURED** for the amount of **\$5,000.00** was set on **12/05/2016** and posted on **12/05/2016**

No New Arrests or Violations

Charge **1** Original Filed on 12/03/2016

0021110

OBS OPER MV UNDER/INFLU ALC/DRUGS
08 AGGRAVATOR 2ND OFF

Disposed on 03/23/2017 as GUILTY

Sentenced on 03/23/2017

Tail Assessment

20 DYS

Cosf

\$500.00

Fine

\$350.00

Name: [REDACTED]

DOB: [REDACTED]

Gender: [REDACTED]

Race: [REDACTED]

Request Information Provided

Name: [REDACTED]

DOB: [REDACTED]

DLN: XX [REDACTED]

All Information Provided Above Has Been Used To Fulfill Your Request
On **11/30/2023 08:50 AM**

***** NOT AN OFFICIAL COURT RECORD *****

RECORDS UNIT | 1001 VANDALAY DRIVE | FRANKFORT, KY 40601 | (800) 928-6381

Name: [REDACTED] DOB: [REDACTED] Gender: [REDACTED] Race: [REDACTED]

Case Filed on **11/08/2023** in **FRANKLIN** County as case number **23-[REDACTED]**

***** PENDING CASE *****

Court Date on **03/07/2024** for **ARRAIGNMENT** in room **B**Charge **1** Original Filed on 11/07/2023

0000050

SPEEDING 5 MPH OVER LIMIT

Name: [REDACTED] DOB: [REDACTED] Gender: [REDACTED] Race: [REDACTED]

Case Filed on **10/03/2022** in **FRANKLIN** County as case number **22-T-[REDACTED]**Charge **1** Original Filed on 10/01/2022

0000230

SPEEDING 23MPH OVER LIMIT

Disposed on 10/27/2022 as **GUILTY**Sentenced on **10/27/2022**

Cost

\$144.00

Name: [REDACTED] DOB: [REDACTED] Gender: [REDACTED] Race: [REDACTED]

Case Filed on **11/22/2021** in **FRANKLIN** County as case number **21-T-[REDACTED]**Charge **1** Original Filed on 11/20/2021

0000150

SPEEDING 15MPH OVER LIMIT

Disposed on 03/03/2022 as **GUILTY**Sentenced on **03/03/2022**

Cost

\$144.00

Fine

\$30.00

Name: [REDACTED] DOB: [REDACTED] Gender: [REDACTED] Race: [REDACTED]

Case Filed on **08/10/2021** in **FRANKLIN** County as case number **21-T-[REDACTED]**

4004713 : 000016 of 000024

<u>UOR Code</u>	<u>KRS</u>	<u>UOR Description</u>	<u>Class</u>	<u>Level</u>
0352202	218A.1402	*OBS* SOLC POSS SCHEDULE II NARC DRUG-OPIATE	A	Misdemeanor
0352203	218A.1402	*OBS* CONS POSS SCHEDULE II NARC DRUG-OPIATE	D	Felony
0352204	218A.1402	*OBS* FACL POSS SCHEDULE II NARC DRUG-OPIATE	A	Misdemeanor
0352205	218A.1402	*OBS* COMP POSS SCHEDULE II NARC DRUG-OPIATE	D	Felony
0352206	218A.1402	*OBS* ENH POSS SCHEDULE II NARC DRUG-OPIATE	C	Felony
0352210	218A.1402	*OBS* POSS SCH II NARC DRUG-OPIATE;2ND OR> OFF	C	Felony
0352211	218A.1402	*OBS* ATT POSS SCH II NARC DRUG-OPIATE;2ND OR> OFF	A	Misdemeanor
0352212	218A.1402	*OBS* SOLC POSS SCH II NARC DRUG-OPIATE;2ND OR> OFF	A	Misdemeanor
0352213	218A.1402	*OBS* CONS POSS SCH II NARC DRUG-OPIATE;2ND OR> OFF	C	Felony
0352214	218A.1402	*OBS* FACL POSS SCH II NARC DRUG-OPIATE;2ND OR> OFF	A	Misdemeanor
0352215	218A.1402	*OBS* COMP POSS SCH II NARC DRUG-OPIATE;2ND OR> OFF	C	Felony
0352216	218A.1402	*OBS* ENH POSS SCH II NARC DRUG-OPIATE;2ND OR> OFF	B	Felony
0353000	218A.1401	*OBS* TRAF SCH II NARC-COCAINE-1ST OFFENSE	D	Felony
0353001	218A.1401	*OBS* ATT TRAF SCH II NARC-COCAINE-1ST OFFENSE	A	Misdemeanor
0353002	218A.1401	*OBS* SOLC TRAF SCH II NARC-COCAINE-1ST OFFENSE	A	Misdemeanor
0353003	218A.1401	*OBS* CONS TRAF SCH II NARC-COCAINE-1ST OFFENSE	D	Felony
0353004	218A.1401	*OBS* FACL TRAF SCH II NARC-COCAINE-1ST OFFENSE	A	Misdemeanor
0353005	218A.1401	*OBS* COMP TRAF SCH II NARC-COCAINE-1ST OFFENSE	D	Felony
0353006	218A.1401	*OBS* ENH TRAF SCH II NARC-COCAINE-1ST OFFENSE	C	Felony
0353010	218A.1401	*OBS* TRAF IN SCH II NARC-COCAINE-2ND OR > OFF	C	Felony
0353011	218A.1401	*OBS* ATT TRAF IN SCH II NARC-COCAINE-2ND OR > OFF	A	Misdemeanor
0353012	218A.1401	*OBS* SOLC TRAF IN SCH II NARC-COCAINE-2ND OR > OFF	A	Misdemeanor
0353013	218A.1401	*OBS* CONS TRAF IN SCH II NARC-COCAINE-2ND OR > OFF	C	Felony
0353014	218A.1401	*OBS* FACL TRAF IN SCH II NARC-COCAINE-2ND OR > OFF	A	Misdemeanor
0353015	218A.1401	*OBS* COMP TRAF IN SCH II NARC-COCAINE-2ND OR > OFF	C	Felony
0353016	218A.1401	*OBS* ENH TRAF IN SCH II NARC-COCAINE-2ND OR > OFF	B	Felony
0353200	218A.140(2)	*OBS* POSS SCH II NARC COCAINE 1ST OFFENSE	D	Felony
0353201	218A.140(2)	*OBS* ATT POSS SCH II NARC COCAINE 1ST OFFENSE	A	Misdemeanor
0353202	218A.140(2)	*OBS* SOLC POSS SCH II NARC COCAINE 1ST OFFENSE	A	Misdemeanor
0353203	218A.140(2)	*OBS* CONS POSS SCH II NARC COCAINE 1ST OFFENSE	D	Felony
0353204	218A.140(2)	*OBS* FACL POSS SCH II NARC COCAINE 1ST OFFENSE	A	Misdemeanor
0353205	218A.140(2)	*OBS* COMP POSS SCH II NARC COCAINE 1ST OFFENSE	D	Felony
0353206	218A.140(2)	*OBS* ENH POSS SCH II NARC COCAINE 1ST OFFENSE	C	Felony
0353210	218A.1402	*OBS* POSS SCH II NARCOTIC-COCAINE 2ND OR> OFF	C	Felony
0353211	218A.1402	*OBS* ATT POSS SCH II NARCOTIC-COCAINE 2ND OR> OFF	A	Misdemeanor
0353212	218A.1402	*OBS* SOLC POSS SCH II NARCOTIC-COCAINE 2ND OR> OFF	A	Misdemeanor
0353213	218A.1402	*OBS* CONS POSS SCH II NARCOTIC-COCAINE 2ND OR> OFF	C	Felony
0353214	218A.1402	*OBS* FACL POSS SCH II NARCOTIC-COCAINE 2ND OR> OFF	A	Misdemeanor
0353215	218A.1402	*OBS* COMP POSS SCH II NARCOTIC-COCAINE 2ND OR> OFF	C	Felony
0353216	218A.1402	*OBS* ENH POSS SCH II NARCOTIC-COCAINE 2ND OR> OFF	B	Felony
0353300	218A.140(1)	*OBS* TRAF IN SCH II CONTROLLED SUBSTANCE	D	Felony
0353301	218A.140(1)	*OBS* ATT TRAF IN SCH II CONTROLLED SUBSTANCE	A	Misdemeanor

Certificates of Eligibility



Certificate of Eligibility

Client receives certification – 3 parts

1. **Certification Notice** – Lists each charge and KSP's opinion on whether charges are expungeable
2. **AOC CourtNet** - Criminal history record
3. **KSP Criminal History Report**

Timeframe – Certification expires in 30 days.

KRS 431.079 indicates that Certificates are not authority.

Sample Certificate of Eligibility:

https://expungeky.com/wp-content/uploads/2022/01/Replica_KSP_Certification1-03-22.pdf





EXPUNGEMENT ELIGIBILITY CERTIFICATION NOTICE

****Expungement certification expires 30 days from report date listed below.****

Report Date: 02/07/2024

Name: [REDACTED]
Request ID: 58309705

DOB: [REDACTED]
SSN: XXX-XX [REDACTED]

This expungement certification contains 3 parts: (1) Certification Notice, (2) Kentucky State Police Criminal History Report and (3) Administrative Office of the Courts Criminal Record Report. The pages are sequentially numbered for authentication purposes.

Pursuant to KRS 431.079, the Administrative Office of the Courts and the Department of Kentucky State Police hereby certify that they have conducted a search of their respective criminal history repositories and that the subject identified above is or is not eligible for an expungement pursuant to KRS 431.076 or 431.078, for the charges listed below.

Arrest Date:		Case: 15-CR [REDACTED]	ANDERSON	<u>Eligible</u>
Charge: 3	SHOCK PROBATION IN FELONY CONVICTIONS			NO
Disposition:	05/03/2016 DENIED			KRS 431.073(2)(a)
				Not 5 Years(felony)/See Probation date
Arrest Date:		Case: 15-CR [REDACTED]	ANDERSON	<u>Eligible</u>
Charge: 4	SHOCK PROBATION IN FELONY CONVICTIONS			NO
Disposition:	07/25/2016 DENIED			KRS 431.073(2)(a)
				Not 5 Years(felony)/See Probation date
Arrest Date:		Case: 15-CR [REDACTED]	ANDERSON	<u>Eligible</u>
Charge: 1	BURGLARY, 2ND DEGREE			NO
Disposition:	10/20/2015 AMENDED			KRS 431.073(2)(a)
				Not 5 Years(felony)/See Probation date
Arrest Date:		Case: 16-CR [REDACTED]	ANDERSON	<u>Eligible</u>
Charge: 1A	BURGLARY, 1ST DEGREE			NO
Disposition:	10/20/2015 GUILTY			KRS 431.073(2)(a)
				Not 5 Years(felony)/See Probation date

4004713 : : 000001 of 000024

Arrest Date:		Case: 99 [REDACTED]	MADISON	<u>Eligible</u>
Charge: 1	*OBS* OP MV U/INFLUENCE U/21 YRS OF AGE (.02-.08) 1ST			YES
Disposition:	11/24/1999 GUILTY			
Arrest Date:	06/05/2003	Case: 3C2696092	FAYETTE	<u>Eligible</u>
Charge: 1	FAILURE TO APPEAR			YES
Disposition:	06/05/2003 UNKNOWN			
Arrest Date:	12/08/2004	Case: 4C3617722	FAYETTE	<u>Eligible</u>
Charge: 1	FAILURE TO APPEAR			YES
Disposition:	12/08/2004 UNKNOWN			
Arrest Date:	12/29/2007	Case: 7D4773602	FAYETTE	<u>Eligible</u>
Charge: 1	BURGLARY, 2ND DEGREE			YES
Disposition:	12/29/2007 UNKNOWN			
Arrest Date:	03/11/2008	Case: 8K6125552	FAYETTE	<u>Eligible</u>
Charge: 1	OPERATING ON SUS OR REV OPER LICENSE			YES
Disposition:	03/11/2008 UNKNOWN			

***** END OF NOTICE *****



EXPUNGEMENT ELIGIBILITY CERTIFICATION NOTICE

****Expungement certification expires 30 days from report date listed below.****

Report Date: 03/20/2024

Name: [REDACTED]
Request ID: 59615813

DOB: [REDACTED]
SSN: XXX-XX [REDACTED]

This expungement certification contains 3 parts: (1) Certification Notice, (2) Kentucky State Police Criminal History Report and (3) Administrative Office of the Courts Criminal Record Report. The pages are sequentially numbered for authentication purposes.

Pursuant to KRS 431.079, the Administrative Office of the Courts and the Department of Kentucky State Police hereby certify that they have conducted a search of their respective criminal history repositories and that the subject identified above is or is not eligible for an expungement pursuant to KRS 431.076 or 431.078, for the charges listed below.

Arrest Date:		Case: 01-M	FAYETTE	<u>Eligible</u>
Charge: 1	*OBS* THEFT BY DECEPTION-INCL COLD CHECKS UNDER \$300			YES
Disposition:	05/30/2002 GUILTY			
Arrest Date:		Case: 01-M	FAYETTE	<u>Eligible</u>
Charge: 2	*OBS* THEFT BY DECEPTION-INCL COLD CHECKS UNDER \$300			YES
Disposition:	05/30/2002 MERGED			
Arrest Date:		Case: 24-	BOURBON	<u>Eligible</u>
Charge: 1	SPEEDING 15MPH OVER LIMIT			NO
Disposition:	PENDING			KRS 431.078(4)(c) Pending charges (misdemeanor)
Arrest Date:		Case: 24-	BOURBON	<u>Eligible</u>
Charge: 2	FAILURE TO PRODUCE INSURANCE CARD			NO
Disposition:	PENDING			KRS 431.078(4)(c) Pending charges (misdemeanor)
Arrest Date:	02/04/1986	Case: A32634001	FAYETTE	<u>Eligible</u>
Charge: 1	ASSAULT 2ND DEGREE			YES
Disposition:	02/04/1986 NO DISPOSITION			
Arrest Date:	02/21/1988	Case: A32634002	FAYETTE	<u>Eligible</u>
Charge: 1	TBUT - M - SHOPLIFTING			YES

Arrest Date: Case: 02-CR- [REDACTED] FAYETTE Eligible
Charge: 1A ASSAULT UNDER EXTREME EMOTIONAL DISTURBANCE YES
Disposition: 03/19/2002 GUILTY

Arrest Date: Case: 04-CR- [REDACTED] FAYETTE Eligible
Charge: 1 FLAGRANT NON SUPPORT YES
Disposition: 05/25/2004 GUILTY

Arrest Date: Case: 16-CR- [REDACTED] FAYETTE Eligible
Charge: 3 SHOCK PROBATION IN FELONY CONVICTIONS NO
Disposition: 11/21/2018 DENIED KRS 431.073(1)(d)
Class A, B, or C felony

Arrest Date: Case: 16-CR- [REDACTED] FAYETTE Eligible
Charge: 2 Receiving Stolen Property (Firearm) YES
Disposition: 07/10/2018 DISMISSED

Arrest Date: Case: 16-CR- [REDACTED] FAYETTE Eligible
Charge: 1 Convicted Felon in Possession of a Handgun NO
Disposition: 07/10/2018 GUILTY KRS 431.073(1)(d)
Class A, B, or C felony

Arrest Date: Case: 10-M- [REDACTED] FAYETTE Eligible
Charge: 1 VIOLATION OF NOISE ORDINANCE YES
Disposition: 05/13/2010 GUILTY

Arrest Date: Case: 12-M- [REDACTED] FAYETTE Eligible
Charge: 1 *OBS* THEFT BY UNLAWFUL TAKING/DISP-SHOPLIFTING YES
Disposition: 06/18/2012 GUILTY

Arrest Date: Case: 16-F- [REDACTED] FAYETTE Eligible
Charge: 2 Receiving Stolen Property (Firearm) YES
Disposition: 04/26/2016 INDICTMENT BY GRAND JURY / INFORMATION

Arrest Date: Case: 16-F- [REDACTED] FAYETTE Eligible
Charge: 1 Convicted Felon in Possession of a Handgun NO
Disposition: 04/26/2016 INDICTMENT BY GRAND JURY / INFORMATION KRS 431.073(1)(d)
Class A, B, or C felony

Arrest Date: Case: 18-M- [REDACTED] FAYETTE Eligible

56820117 : : 000002 of 000021



EXPUNGEMENT ELIGIBILITY CERTIFICATION NOTICE

****Expungement certification expires 30 days from report date listed below.****

Report Date: 12/20/2022

Name: [REDACTED]
Request ID: 53040400

DOB: [REDACTED]
SSN: XXX-XX-XXXX

This expungement certification contains 3 parts: (1) Certification Notice, (2) Kentucky State Police Criminal History Report and (3) Administrative Office of the Courts Criminal Record Report. The pages are sequentially numbered for authentication purposes.

Pursuant to KRS 431.079, the Administrative Office of the Courts and the Department of Kentucky State Police hereby certify that they have conducted a search of their respective criminal history repositories and that the subject identified above is or is not eligible for an expungement pursuant to KRS 431.076 or 431.078, for the charges listed below.

Arrest Date:	Case:	14-[REDACTED]	FAYETTE	<u>Eligible</u>
Charge: 1	CRIMINAL POSS OF A FORGED PRESCRIPTION, 1ST OFFENS			YES
Disposition:	01/07/2015	AMENDED DOWN		
Arrest Date:	Case:	14-[REDACTED]	FAYETTE	<u>Eligible</u>
Charge: 1A	ATT CRIMINAL POSS OF A FORGED PRESCRIPTION, 1ST OFFENS			YES
Disposition:	01/07/2015	GUILTY		
Arrest Date:	Case:	18-[REDACTED]	FAYETTE	<u>Eligible</u>
Charge: 1	SPEED 26 MPH OR OVER (LIMITED ACCESS)			NO
Disposition:	08/29/2018	AMENDED DOWN		KRS 431.078(4)(b) Conviction within Last 5 Years(M)
Arrest Date:	Case:	18-[REDACTED]	FAYETTE	<u>Eligible</u>
Charge: 2	RECKLESS DRIVING			NO
Disposition:	08/29/2018	MERGED		KRS 431.078(4)(b) Conviction within Last 5 Years(M)
Arrest Date:	Case:	18-[REDACTED]	FAYETTE	<u>Eligible</u>
Charge: 1A	SPEEDING 25MPH OVER LIMIT			NO
Disposition:	08/29/2018	GUILTY		KRS 431.078(4)(b) Conviction within Last 5 Years(M)
Arrest Date:	Case:	13-[REDACTED]	MONTGOMERY	<u>Eligible</u>
Charge: 1	ALCOHOL INTOXICATION IN A PUBLIC PLACE			YES

* * KENTUCKY CRIMINAL HISTORY * *

KENTUCKY STATE CRIMINAL HISTORY RECORD FOR SID/00326340

THIS RAP SHEET WAS PRODUCED IN RESPONSE TO THE FOLLOWING REQUEST:

SUBJECT NAME: [REDACTED]
SID NUMBER: KY00326340
REQUESTING AGENCY: KYKSP3700

RESTRICTION, WARNING, OR NOTICE

THIS RAP SHEET CONTAINS ALL CENTRAL REPOSITORY CONVICTION DATA WHICH
IS AVAILABLE FOR DISSEMINATION UNDER STATE AND FEDERAL LAW.

=====

IDENTIFICATION

SID NUMBER:
KY00326340

NAME(S) USED:

DATE OF BIRTH(S):

SSN#(S):

OPERATOR LICENSE:

SEX: [REDACTED] RACE: [REDACTED] HEIGHT: [REDACTED] WEIGHT: [REDACTED] EYE: [REDACTED] HAIR: [REDACTED]

PLACE OF BIRTH: KENTUCKY

CITIZENSHIP:

RESIDENCE:

Thank you!

