

**IN THE CIRCUIT COURT OF THE
FIRST JUDICIAL CIRCUIT IN AND
FOR OKALOOSA COUNTY, FLORIDA**

Case No. _____
Division: _____

STATE OF FLORIDA,
Plaintiff,

vs.

_____,
Defendant/Petitioner

_____ /

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF OKALOOSA

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 of the terms of 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 the _____ day of _____, _____, by _____
_____ (arresting agency),
and I have not been adjudicated guilty of, nor adjudicated delinquent for committing, any of the acts stemming from that 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 this _____ day of _____, _____.

NOTARY PUBLIC or other person
authorized to administer an oath

MY COMMISSION EXPIRES:

Personally known _____ or produced identification _____

Type of identification produced _____

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Defendant/Petitioner

_____ /

PETITION TO EXPUNGE OR SEAL

The petitioner _____, petitions this Honorable Court under Florida Rule of Criminal Procedure 3.692 and section 943.0585, or section 943.059 Florida Statutes, to _____ expunge or _____ seal all criminal history record information in the custody of any criminal justice agency and the official records of the court concerning the petitioner's arrest on the _____ day of _____, _____, by _____ (arresting agency), for _____ (charges), and as grounds therefore shows:

1. On the _____ day of _____, _____, the petitioner, _____, a _____ (race/sex), whose date of birth is _____, was arrested by _____ (arresting agency), and charged with _____ (charges).

2. The petitioner has not been adjudicated guilty of nor adjudicated guilty of committing any of the acts 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 nor adjudicated delinquent for committing a felony or a misdemeanor specified in section 943.051(3)(b), Florida Statutes.
4. The petitioner has not secured a 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.)* The petitioner's record has been sealed under section 943.059, Florida Statutes, former section 943.058, 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, information, or other charging document filed against the petitioner who is the subject of this criminal history record information; or an indictment, information, or other charging document filed against the petitioner who is the subject of this criminal history information was dismissed by the prosecutor or the court.
6. A Certificate of Eligibility for _____ expunction or _____ sealing of nonjudicial criminal history records issued by the Florida Department of Law Enforcement accompanies this petition.

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 _____, _____ .

I HEREBY CERTIFY that a true and correct copy of the foregoing pleading has been served on, (*check one*) _____ State Attorney for the First Judicial Circuit, in and for Okaloosa County, _____ Special Prosecutor, _____ Statewide Prosecutor; _____
_____ (arresting agency),
and Sheriff of Okaloosa County; and the Florida Department of Law Enforcement, on this
_____ day of _____, _____ .

Signature of Petitioner/Defendant
Name: _____
Address: _____
City/State/Zip: _____
Telephone: _____

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vs.

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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 upon petitioner's petition to seal records concerning the petitioner's arrest on the _____ day of _____, _____ by the _____ (*arresting agency*), and the Court having been otherwise advised in the premises hereby finds:

1. The petitioner has never been previously 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 the instant 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 instant petition for sealing nonjudicial 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 Procedure 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, _____ special prosecutor, _____ statewide prosecutor, _____ (*arresting agency*), and the Sheriff of Okaloosa 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 this 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 borne by the Petitioner.

DONE AND ORDERED in Chambers at Okaloosa County, Florida, this _____ day of

_____, _____.

JUDGE

Conformed copies:
State Attorney's Office,
Sheriff, Okaloosa County Sheriff's Department,
Arresting Agency
Defendant/Petitioner

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Case No.: _____
Division: _____

STATE OF FLORIDA,
Plaintiff,
vs.

_____,
Defendant/Petitioner

_____ /

**ORDER TO EXPUNGE PURSUANT TO
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 upon a petition to expunge certain records of the petitioner's arrest on the ____ day of _____, _____, by _____ (arresting agency), for _____ (charges), and the Court having heard argument of counsel and being otherwise fully advised in the premises, the Court hereby finds the following:

1. The petitioner has never previously 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.
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 nonjudicial 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 Procedure 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, _____special prosecutor, _____statewide prosecutor, _____(*arresting agency*), and the Sheriff of Okaloosa 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 this 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 borne by the petitioner.

DONE AND ORDERED in Okaloosa County Courthouse, Florida, this _____ day of _____, _____.

JUDGE

Conformed copies:

State Attorney's Office
Sheriff, Okaloosa County Sheriff's Department
Arresting Agency
Defendant/Petitioner