

**EXPUNGEMENT ORDER**

Commonwealth of Virginia VA. CODE § 19.2-392.2

Case No. ....

..... Circuit Court  
CITY OR COUNTY

.....  
NAME OF [ ] PETITIONER [ ] SUBJECT OF WRIT OF ACTUAL INNOCENCE

[ ] The petitioner is seeking relief pursuant to subsection A of Va. Code § 19.2-392.2 because the petitioner was charged with the commission of the following crime(s) or offense(s) .....

..... , AND

[ ] has been acquitted of the charge(s).

[ ] a nolle prosequi of the charge(s) has been taken or the charge(s) have been otherwise dismissed, including dismissal by accord and satisfaction pursuant to Va. Code § 19.2-151.

After receiving the criminal history record information from the Central Criminal Records Exchange (CCRE) and

[ ] conducting a hearing on the petition,

[ ] waiving a hearing on the petition for expungement of misdemeanor charge(s) upon receipt of written notice from the attorney for the Commonwealth that he does not object to the petition,

AND/OR

[ ] waiving a hearing on the petition for expungement of felony charge(s) upon receipt of written notice and stipulation from the attorney for the Commonwealth that he does not object to the petition and that the continued existence and possible dissemination of information relating to the arrest of the petitioner causes or may cause circumstances which constitute a manifest injustice to the petitioner,

[ ] the court FINDS that

[ ] the continued existence and possible dissemination of information relating to the arrest of the petitioner causes or may cause circumstances that constitute a manifest injustice to the petitioner.

[ ] the petitioner has no prior criminal record, the arrest was for a misdemeanor and the Commonwealth did not show good cause why the police and court records relating to the charge should not be expunged.

[ ] The petitioner is seeking relief pursuant to subsection I of Va. Code § 19.2-392.2 because the petitioner has been granted an absolute pardon for a crime that he did not commit and the court FINDS that such relief is proper

[ ] The court has received the attached copy of a writ of actual innocence pursuant to § 19.2-327.5 or § 19.2-327.13 vacating a conviction

The court ORDERS that:

[ ] The police and court records, including electronic records, relating to the following charge(s) be expunged pursuant to [ ] subsection F (acquittal/dismissal) [ ] subsection I (absolute pardon) [ ] subsection J (writ of actual innocence) of Va. Code § 19.2-392.2

.....  
LIST CHARGE(S) INCLUDING CIRCUIT COURT AND GENERAL DISTRICT COURT CASE NUMBERS, IF KNOWN

[ ] The clerk of this court shall send a copy of this ORDER, along with a copy of the PETITION FOR EXPUNGEMENT or writ of actual innocence, to the Department of State Police to be acted upon in

accordance with the rules and regulations adopted pursuant to Va. Code § 9.1-134.

[ ] The court FINDS that the statutory requirements for expungement have not been satisfied for the following charges and therefore, the court ORDERS that the petition be denied.

.....  
LIST CHARGES

.....  
DATE

\_\_\_\_\_  
JUDGE

I certify that I forwarded a copy of this ORDER, along with a copy of the PETITION FOR EXPUNGEMENT or a copy of the writ of actual innocence, to the Virginia Department of State Police

on .....

DATE

\_\_\_\_\_  
CLERK