

STATE OF SOUTH DAKOTA)
)ss:
COUNTY OF _____)

IN CIRCUIT COURT
_____ JUDICIAL CIRCUIT

IN THE MATTER OF THE EXPUNGEMENT)
OF RECORDS RELATED TO:)
)
_____))
(Name of Applicant for Expungement))
)
Petitioner.)
)

CIV NO: _____

MOTION FOR EXPUNGEMENT

Petitioner hereby moves this court for entry of an order expunging the record of his/her arrest, which occurred on _____. The Criminal docket number is _____. Petitioner alleges that the ends of justice and the best interest of the public and Petitioner will be served by entering said order and (*check the applicable line*):

_____ It has been one year from the date of the arrest and no accusatory instrument has been filed; or

_____ The office of the prosecuting attorney formally dismissed the entire criminal case on the record against me on _____, and it has been more than a year since said formal dismissal; or

_____ I was acquitted of all charges at trial on _____.

DATED this _____ day of _____, 20__.

Petitioner (Signature)

Print your name

Physical address

City, State, ZIP code

Telephone

AFFIDAVIT OF MAILING

I, _____ (full legal name of Petitioner),
being sworn, state that on _____,
20_____, I served a copy of the Motion for Expungement and a copy of the Notice of
Hearing for Expungement of Record on the office of the prosecuting attorney (who prosecuted or
who had authority to prosecute the charges I am seeking to expunge) by placing a true and correct
copy of the document in an envelope addressed to the following individual:

_____ at the following mailing address:

_____ in the City of
_____, State of _____, Zip Code
_____ and depositing the envelope, with sufficient postage, in the United
States Mail at _____ (city and state mailed from).

DATED this _____ day of _____, 20_____.

Signature of Petitioner
(Sign only in front of a notary or Clerk of Court)

Name (Printed): _____

Address: _____

City/State/Zip: _____

Telephone: (_____) _____

Sworn/affirmed before me this _____ day of _____, 20_____.

(Notary Public/Clerk of Courts)

If Notary, my commission expires: _____
(SEAL)