

INSTRUCTIONS AND FORM ON NOTICE OF HEARING FOR EXPUNGEMENT OF RECORD

This form references specific South Dakota Codified Laws (SDCL), and you can find these laws on the South Dakota Legislature website. If you have any legal questions, it is highly recommended that you consult with an attorney. Court staff are unable to provide you with legal advice or assist you in completing this form. For specific questions related to the forms, you can contact the Legal Form Helpline at 1-855-784-0004 or email UJS staff at ujssrlhelp@uds.state.sd.us.

To complete this form, you will need to:

- ☐ Complete only the caption of the Notice of Hearing UJS-393 and file with the Clerk of Court.
- ☐ Once you receive the Notice of Hearing UJS-393 back, mail a copy to the States Attorney at least 14 days before the hearing is scheduled for.
- ☐ Once the Notice of Hearing UJS-393 has been mailed to the States Attorney, complete the Statement of Mailing UJS-393 and file with the Clerk of Court.

STATE OF SOUTH DAKOTA

IN CIRCUIT COURT

COUNTY OF _____

_____ JUDICIAL CIRCUIT

IN THE MATTER OF THE EXPUNGEMENT
OF RECORDS RELATED TO:

(Name of Applicant for Expungement)
Petitioner.

Case No.: _____

**NOTICE OF HEARING FOR
EXPUNGEMENT OF RECORD**

NOTICE IS HEREBY GIVEN that a Motion for Expungement has been filed by the above-named Petitioner. On the _____ day of _____, 20____, at the hour of ____:____ am/pm said motion will be heard by this Court before the Honorable _____, Presiding, at the Courtroom in the _____ County Courthouse, in the city of _____, South Dakota, or as soon thereafter as is convenient for the Court. Pursuant to SDCL § 23A-3-28, the Motion for Expungement shall be served at least fourteen days before the above hearing upon the office of the attorney who prosecuted the crime or violation, or who had authority to prosecute the charge if no accusatory instrument was filed.

Dated the _____ day of _____, 20_____.

Circuit Court Judge/Clerk of Court

ATTEST:

Clerk of Court

By: _____
Deputy Clerk of Court

STATE OF SOUTH DAKOTA

IN CIRCUIT COURT

COUNTY OF _____

_____ JUDICIAL CIRCUIT

IN THE MATTER OF THE EXPUNGEMENT
OF RECORDS RELATED TO:

Case No.: _____

STATEMENT OF MAILING

(Name of Applicant for Expungement)
Petitioner.

THE UNDERSIGNED, being sworn, state that on this date _____

I did personally mail, postage prepaid, a true and correct copy of the Notice of
Hearing on Expungement in an envelope addressed to:

(Name)

(Street Address)

(City, State, Zip Code)

and mailing, with sufficient postage, in the United States Mail from _____
(City and State)

I declare under penalty of perjury under the law of South Dakota that the
foregoing is true and correct. Signed on the _____ day of _____,
(Date) (Month)
_____ at _____.
(Year) (City or other location, and State)

Petitioner Signature

Petitioner Name

Address

City, State, Zip Code

Phone Number