

## INSTRUCTIONS ON NOTICE OF ENTRY OF ORDER OF EXPUNGEMENT

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@ajs.state.sd.us](mailto:ujssrlhelp@ajs.state.sd.us).

### **IMPORTANT NOTICE**

Whether or not your request for an expungement on a record of arrest is granted, the Judge will enter an order granting or denying and a Notice of Entry will need to be filed with the Clerk of Court.

### **To complete this form, you will need to:**

- Complete the caption.
- Enter the day the Order was signed by the Judge, the name of the Judge who signed the Order, and the County in which it was filed in.
- Sign and date.
- Complete page 2, the Affidavit of Mailing UJS-395.
- Mail a copy of the Notice of Entry UJS-395 and a copy of the Order on Motion for Expungement UJS-394 to the States Attorney.
- File the Notice of Entry and the Affidavit of Mailing UJS-395 with the Clerk of Court.

STATE OF SOUTH DAKOTA

IN CIRCUIT COURT

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ JUDICIAL CIRCUIT

<p>IN THE MATTER OF THE EXPUNGEMENT OF RECORDS RELATED TO:</p> <hr/> <p>(Name of Applicant for Expungement) Petitioner.</p>	<p>Case No.: _____</p> <p><b>NOTICE OF ENTRY OF ORDER FOR EXPUNGEMENT</b></p>
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**PLEASE TAKE NOTICE** that pursuant to SDCL § 23A-3-30, the Order on Motion for Expungement was entered in the above-entitled matter on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the Honorable \_\_\_\_\_ and duly filed by the \_\_\_\_\_ County South Dakota Clerk of Courts. A copy of said Order of Expungement is attached hereto and served upon the office of the prosecuting attorney.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Petitioner Signature

\_\_\_\_\_  
Petitioner Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Phone Number

**AFFIDAVIT OF MAILING**

I, \_\_\_\_\_ (full legal name of Petitioner), being sworn, state that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I served a copy of the Order on Motion for Expungement and a copy of the Notice of Entry of Order on Motion for Expungement by placing a true and correct copy of the document in an envelope addressed to the following named 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\_\_\_\_\_.

\_\_\_\_\_  
Petitioner Signature

\_\_\_\_\_  
Petitioner Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Phone Number

Sworn/affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary/Deputy Clerk/Clerk of Court

My Commission Expires: \_\_\_\_\_