

<p>IN THE MATTER OF THE EXPUNGEMENT OF RECORDS RELATED TO:</p> <p>_____</p> <p>(Name of Applicant for Expungement)</p> <p style="text-align: center;">Petitioner.</p>	<p>FILE NO: _____</p> <p style="text-align: center;">MOTION FOR EXPUNGEMENT</p>
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Pursuant to SDCL 23A-3-27, Petitioner, whose date of birth is _____ (*insert date of birth*), hereby moves this court for entry of an order expunging the record of the Petitioner’s arrest or ticket, which occurred on _____ (*insert date of arrest or date ticket was received*). The arrest or ticket was for the following charge(s): _____.

The criminal docket number is: _____. The basis for this motion is (*check the applicable line*):

- _____ It has been one year from the date of the arrest and no accusatory instrument has been filed; or
- _____ The prosecuting attorney formally dismissed the entire criminal case on the record AND (*if this option is checked, check one of the options below*):
 - _____ It has been more than a year since the formal dismissal; or
 - _____ Compelling necessity exists; or
- _____ I was acquitted of all charges at trial on _____.

DATED this _____ day of _____, 20____.

Petitioner (Signature)

Print (First name, middle initial, last name)

Physical address

City, State, ZIP code

Telephone

STATE OF SOUTH DAKOTA

IN CIRCUIT COURT

COUNTY OF _____

_____ JUDICIAL CIRCUIT

<p>IN THE MATTER OF THE EXPUNGEMENT OF RECORDS RELATED TO:</p> <p>_____</p> <p>(Name of Applicant for Expungement)</p> <p style="text-align: center;">Petitioner.</p>	<p>FILE NO: _____</p> <p style="text-align: center;">AFFIDAVIT OF MAILING</p>
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I, _____, being sworn, state that on
(Name of person who mailed the documents)

_____, 20 _____, I served the following papers:

(List all papers mailed to the other party; i.e., a copy of the Motion for Expungement)

by placing true copies of the documents in an envelope addressed to:

_____ at _____
(Name of State's Attorney) (State Attorney's mailing address)

in the City of _____, State of _____,

Zip Code _____ and depositing the envelope, with sufficient postage, in the United States

Mail at _____.
(Place mailed from)

DATED this _____ day of _____, 20 _____.

Signature of Person Who Mailed Documents
(Sign only in front of a notary or Clerk of Court)

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

Name: (Printed) _____

(Notary Public/Clerk of Court)

Address: _____

City/State/Zip: _____

If notary, my commission expires:

(SEAL)

Telephone: (____) _____