

**NOTE: A SEPARATE PETITION MUST BE FILED FOR EACH CRIMINAL CASE AND THE CHARGE(S) MUST BE LISTED IN THIS MOTION FOR THE CHARGE(S) TO BE EXPUNGED. ADDITIONALLY, A COPY OF YOUR CURRENT EXPUNGEMENT CERTIFICATION MUST BE ATTACHED TO THIS PETITION.**

AOC-497.2 Doc. Code: PEXA  
 Rev. 7-16  
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Commonwealth of Kentucky  
 Court of Justice [www.courts.ky.gov](http://www.courts.ky.gov)  
 KRS 431.076; 431.079



**PETITION FOR EXPUNGEMENT**  
 (FOR ACQUITTAL, DISMISSAL WITH PREJUDICE,  
 OR FAILURE TO INDICT)

Case No. \_\_\_\_\_  
 Court \_\_\_\_\_  
 County \_\_\_\_\_  
 Division \_\_\_\_\_

COMMONWEALTH OF KENTUCKY

PLAINTIFF

VS.

\_\_\_\_\_ NAME

DEFENDANT

\_\_\_\_\_ ADDRESS

( ) \_\_\_\_\_ PHONE NUMBER

Defendant's Birthdate: \_\_\_\_\_ Defendant's SSN: \_\_\_\_\_ Violation/Arrest Date: \_\_\_\_\_

Jail ID Number \_\_\_\_\_ (optional)

Comes now the Defendant herein and petitions the Court, pursuant to KRS 431.076, to expunge the following charges which were either acquitted, dismissed with prejudice or did not result in indictment in the above-referenced case:

CHARGE: \_\_\_\_\_ CHARGE: \_\_\_\_\_

CHARGE: \_\_\_\_\_ CHARGE: \_\_\_\_\_

CHARGE: \_\_\_\_\_ CHARGE: \_\_\_\_\_

In support of this Petition, the Defendant states as follows: *(Check all that apply)*

- At least sixty (60) days prior to filing this petition, the Defendant was acquitted of the above-listed charge(s); or  
 At least sixty (60) days prior to filing this petition, the above-referenced charge(s) was/were dismissed with prejudice and said dismissal was NOT in exchange for a guilty plea to another offense;  
 The above listed felony charges originally filed in district court have not resulted in an indictment by the grand jury and twelve (12) months have elapsed since the date of the District Court decision to hold the matter to the grand jury.

**AND**

- There are no current charges or proceedings pending in the above-styled case.

The Defendant prays that this Petition for Expungement for Acquittal, Dismissal with Prejudice, or Failure to Indict be granted and that this Court enter an Order that the following agencies expunge any records in the agencies' custody regarding these charges:

**LIST AGENCIES AND ADDRESSES HERE:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Note: Defendant/Movant must sign this petition **in the presence of** a notary **or** the circuit court clerk so that the clerk can witness his/her signature.

Date: \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Defendant/Petitioner Signature

Subscribed and sworn to before me by \_\_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary/Clerk

My commission expires: \_\_\_\_\_, \_\_\_\_\_ By: \_\_\_\_\_ D.C.

### ORDER

Having considered this Petition for Expungement:

- the court hereby orders the circuit court clerk to set a date for an expungement hearing.
- no hearing is required.

\_\_\_\_\_  
Judge

### NOTIFICATION OF EXPUNGEMENT HEARING

This case is set for a hearing on \_\_\_\_\_, \_\_\_\_\_ at the hour of \_\_\_\_\_

a.m.  p.m. at the \_\_\_\_\_  District  Circuit Court. Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_. The County or Commonwealth's attorney, as appropriate, may respond to this Petition. If the criminal charge(s) relates to the abuse or neglect of a child, the Office of General Counsel of the Cabinet for Health and Family Services (CHFS) shall respond within twenty (20) days of receipt of this notification if the CHFS has custody of records that reflect that Defendant/Petitioner has been determined by the CHFS or by a court under KRS Chapter 620 to be a substantiated perpetrator of child abuse or neglect.

\_\_\_\_\_  
Clerk

By: \_\_\_\_\_ D.C.

#### For Clerk Use Only

If the court ordered an expungement hearing, this Petition for Expungement was sent on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ to Defendant/Petitioner or his/her Attorney; the County or Commonwealth's Attorney, as appropriate; and, if the criminal charge(s) relates to the abuse or neglect of a child, to the CHFS. If the court did not order a hearing, this Petition was sent on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, to Defendant/Petitioner.

\_\_\_\_\_  
Clerk

By: \_\_\_\_\_ D.C.