

STATE OF SOUTH CAROLINA )  
COUNTY OF \_\_\_\_\_ )

IN THE COURT OF GENERAL SESSIONS  
ORDER FOR DESTRUCTION OF ARREST RECORDS

THE STATE OF )  
SOUTH CAROLINA, )

Race \_\_\_\_\_ Sex \_\_\_\_\_ Age \_\_\_\_\_

vs. )

DOB \_\_\_\_\_ SSN \_\_\_\_\_

\_\_\_\_\_  
Defendant )

Charges were disposed of in the court indicated below:

\_\_\_\_\_  
AKA )

( ) Magistrate ( ) Municipal ( ) General Sessions

IT APPEARS that the defendant is entitled to have all records relating to this offense expunged and destroyed according to the applicable section of the South Carolina Code of Laws indicated below:

Warrant/GS No. \_\_\_\_\_ Date of Arrest \_\_\_\_\_ Place of Arrest \_\_\_\_\_ County, S.C.

Arrest Charge \_\_\_\_\_

- [ ] § 17-1-40. The charge was dismissed, nol prossed or the defendant was found not guilty on \_\_\_\_\_.
- [ ] § 17-22-150(a). The charge was dismissed on \_\_\_\_\_ by the Solicitor because the defendant successfully completed the Pre-Trial Intervention Program. (*PTI Director must attest to eligibility for expungement*).
- [ ] § 34-11-90(e). The defendant was convicted of a first offense misdemeanor under the Fraudulent Check Law on \_\_\_\_\_ and no additional criminal conviction as defined by § 34-11-90(e) has taken place in one year from date of conviction.
- [ ] § 44-53-450(b). The defendant was charged with first offense simple possession of marijuana or hashish on \_\_\_\_\_, received a conditional discharge and has successfully complied with the terms as set forth by the court.
- [ ] § 22-5-910. The defendant was convicted of a first offense in a magistrate or municipal court on \_\_\_\_\_, that offense did not involve the exceptions enumerated in § 22-5-910, and no additional criminal conviction as defined by § 22-5-910 has taken place within three years from date of conviction. (*Summary Court Judge must attest to eligibility*).
- [ ] § 22-5-920. The defendant was convicted of a first offense as a youthful offender on \_\_\_\_\_, that offense did not involve the exceptions enumerated in § 22-5-920, and no additional criminal conviction as defined by § 22-5-920 has taken place during a fifteen- year period following the first offense conviction as a youthful offender.
- [ ] § 56-5-750(F). The defendant was convicted of a misdemeanor first offense failure to stop motor vehicle on \_\_\_\_\_ and no additional criminal conviction has taken place for three years after completion of the sentence.

IT IS ORDERED that all records relating to such arrest and subsequent discharge pursuant to the above-referenced section be dismissed, expunged and immediately destroyed and that no evidence of such records pertaining to such charge shall be retained by any municipal, county or state agency except nonpublic information retained on each person accepted for Pre-Trial Intervention pursuant to § 17-22-130, nonpublic information retained by SC Law Enforcement Division (SLED) pursuant to § 34-11-90(e), nonpublic information retained by the Department of Narcotic and Dangerous Drugs Under SLED pursuant to § 44-53-450, nonpublic information retained by SLED pursuant to § 22-5-910 and § 22-5-920, and nonpublic information retained by SLED and Department of Public Safety pursuant to § 56-5-750 (F).

Acknowledged: \_\_\_\_\_  
Circuit Solicitor

Signed this \_\_\_\_\_ day of \_\_\_\_\_

I attest that defendant was accepted into the PTI program based on Solicitor's determination that defendant is eligible for expungement under Code § 17-22-150(a) (successful completion of PTI) or Code § 22-5-910 (summary court conviction).

\_\_\_\_\_  
Circuit Court Judge

On Motion of:

\_\_\_\_\_  
Director Pre-Trial Intervention / Summary Court Judge (circle one)

\_\_\_\_\_  
Defendant / Attorney for Defendant (Circle One)

EXPUNGEMENT ORDERS SHOULD NOT BE FORWARDED TO S.C. COURT ADMINISTRATION (SCCA): (1) for magistrate or municipal court convictions/dispositions, because SCCA does not retain information which identifies defendants by name or SSN for these charges; or (2) for GS convictions/dispositions because disposition data (including expungements) is sent to SCCA electronically, and expungements are automatically entered into SCCA records.