

COMMONWEALTH OF PENNSYLVANIA : IN THE COURT OF COMMON PLEAS
 : CHESTER COUNTY, PENNSYLVANIA
 VS. : CRIMINAL ACTION
 : COMMON PLEAS NUMBER
 : CP-15-CR-_____
 _____, : OTN _____
 Defendant's Name :
 : MAGISTERIAL DISTRICT COURT
 _____, : 15 - _____ - _____
 Defendant's Social Security Number :
 : MAGISTERIAL DOCKET NUMBER
 : CR- _____
 _____, :
 Defendant's Date of Birth :

EXPUNGEMENT ORDER

AND NOW, this _____ day of _____, 20_____, the Court having found that defendant is entitled to expungement of the offense(s) set forth below, it is hereby **ORDERED** and **DIRECTED** that these offense(s) set forth below shall be expunged from defendant's criminal history record information consistent with the requirements and exceptions of the Criminal History Record Information Act [18 Pa.C.S.A. § 9101 *et seq.*].

Pursuant to Pa.R.Crim.P. 722, the Court sets forth the following findings:

- [1] Defendant is entitled to expungement of the following offense(s) only in the above case:
- _____
- _____
- _____

[2] Defendant was arrested on: _____

[3] Defendant was arrested by the following criminal justice agency:

[4] Defendant is entitled to expungement of the above listed offense(s) because:

[5] The following criminal justice agencies shall be served with certified copies of this order:

[A] Pennsylvania State Police – Central Repository

[B] Arresting Criminal Justice Agency [Police Department] – Set forth in [3]

[C] Chester County District Attorney's Office

[D] Chester County Adult Probation and Parole Department

[E] Chester County Warrant Enforcement Bureau [WEB]

[F] Chester County Bail Agency

[G] Chester County Sheriff's Office

Upon receipt of a duly certified copy of this Order, the Central Repository shall notify all criminal justice agencies to whom the defendant's Criminal History Record Information has previously been disseminated, and the Central Repository and any criminal justice agency to whom the defendant's criminal history record information has been disseminated by the Central Repository, shall, consistent the provisions of 18 Pa.C.S.A. § 9122(d), promptly expunge the relevant offense(s), and shall send to the defendant within thirty [30] days of receipt of a copy of this Order, an affidavit that such criminal history records have been expunged and destroyed, together with all copies of this Order in their possession.

Nothing in this Order is intended to prohibit the retention by any criminal justice agency of records of any kind pertaining to: other offenses arising from the above-captioned case for which defendant has been convicted [18 Pa.C.S.A. § 9122]; intelligence information, investigative information, and treatment information – both medical and psychological [18 Pa.C.S.A. § 9102]; police blotters, press releases, and posters [18 Pa.C.S.A. § 9104]; any court records or public documents [18 Pa.C.S.A. §§ 9104; 9122 (e)]; records pertaining to Accelerated Rehabilitative Disposition [ARD] for any offense(s) as set forth in 18 Pa.C.S.A. § 9122(b.1); or any other information specifically excluded from the definition of Criminal History Record Information or from the expungement process itself by any provision of the Criminal History Record Information Act [18 Pa.C.S.A. § 9101 *et seq.*].

Nothing in this Order is intended to prohibit the retention, by the District Attorney, Central Repository, and the Court, of Accelerated Rehabilitative Disposition [ARD] or any other diversionary program information, or other expunged information, for the purposes of determining subsequent eligibility for such programs, identifying persons in criminal investigations, and for determining the grading of subsequent offenses, as set forth in 18 Pa.C.S.A. § 9122(c).

Nothing in this Order is intended to apply to the Department of Transportation in any way which conflicts with 75 Pa.C.S.A. § 1534 (c) and (d), of the Vehicle Code.

BY THE COURT:

J.