

CAUSE No. _____

THE STATE OF TEXAS

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IN THE DISTRICT COURT

VS.

_____ JUDICIAL DISTRICT

_____,
DEFENDANT

_____ COUNTY, TEXAS

**PETITION FOR NONDISCLOSURE
OF CRIMINAL HISTORY RECORD INFORMATION**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW _____ (hereinafter "defendant") and moves the Court to issue an order prohibiting criminal justice agencies from disclosing to the public criminal history record information related to the offense described more particularly below. The defendant would respectfully show the Court the following:

I.

On _____, the defendant entered a plea of guilty or nolo contendere in this cause to the felony offense of _____. This Court deferred further proceedings in this cause without entering an adjudication of guilt and placed the defendant under the supervision of the court or an officer under the supervision of the court.

II.

On _____, at the end of the period of supervision, the Court dismissed the proceedings in this cause and discharged the defendant from further deferred adjudication community supervision.

III.

It has been five or more years since the date that the Court dismissed the proceedings in this cause and discharged the defendant from further deferred adjudication community supervision.

IV.

Since the date that the Court dismissed the proceedings in this cause and discharged the defendant from further deferred adjudication community supervision, the defendant has not been convicted or placed on deferred adjudication community supervision under Section 5, Article 42.12, Code of Criminal Procedure, for any offense other than an offense under the Transportation Code punishable by fine only.

V.

Defendant has not been previously convicted or placed on deferred adjudication community supervision for:

- (1) an offense requiring registration as a sex offender under Chapter 62, Code of Criminal Procedure;
- (2) an offense under Section 20.04, Penal Code, regardless of whether the offense is a reportable conviction or adjudication for purposes of Chapter 62, Code of Criminal Procedure;
- (3) an offense under Section 19.02, 19.03, 22.04, 22.041, 25.07, or 42.072, Penal Code; or any other offense involving family violence, as defined by Section 71.004, Family Code.

VI.

Issuance of an order prohibiting criminal justice agencies from disclosing to the public criminal history record information related to the offense for which defendant successfully completed deferred adjudication community supervision is in the best interest of justice.

VII.

Pursuant to Section 411.081(g)(2) of the Texas Government Code, the defendant authorizes that the clerk of the court send a copy of the order of nondisclosure to the Crime Records Service of the Department of Public Safety by secure electronic mail.

VIII.

In accordance with the Local Rules of this Court, this matter has been set for a hearing fourteen days after the date that the petition was filed.

THEREFORE, it is respectfully requested that the Court issue an order prohibiting

criminal justice agencies from disclosing to the public criminal history record information related to the offense for which defendant successfully completed deferred adjudication community supervision.

Respectfully submitted,

Signature Line