

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ (County), \_\_\_\_\_ (State)

\_\_\_\_\_  
(Name of State)

PLAINTIFF

V.

CAUSE NO. \_\_\_\_\_

\_\_\_\_\_  
(Name of Defendant)

DEFENDANT/PETITIONER

### Motion for New Trial for Purpose of Expunging Criminal Record

Comes now \_\_\_\_\_ (Name of Plaintiff), Plaintiff/Petitioner, in the above-captioned cause, by and through his attorney and moves this Court to grant a Motion for a new trial for the following reasons:

1. Petitioner, \_\_\_\_\_ (name of petitioner), was convicted on \_\_\_\_\_ (date), of the offense of (description of nature of offense)

\_\_\_\_\_ on his plea of guilty before the Honorable \_\_\_\_\_ (Name of Judge);

2. Petitioner was sentenced on \_\_\_\_\_ (date of sentence) to (description of sentence) \_\_\_\_\_;

3. Petitioner has fully complied with the Court's order of probation;

OR

Petitioner has completed his term of imprisonment;

4. Petitioner had not been convicted of (any offense or any felony) \_\_\_\_\_ prior to the date of sentencing;

5. Petitioner has not been convicted of any offense subsequent to the date of sentencing;

6. The conviction for (description of offense) \_\_\_\_\_ hampers Petitioner's employment opportunities in the near future;

7. This Honorable Court has the discretion and authority pursuant to **(citation of statute or rule)** \_\_\_\_\_ to set aside Petitioner's conviction.

WHEREFORE, Petitioner requests that this Court grant Petitioner's Motion for a new trial for the purpose of expunging Petitioner's record.

Respectfully submitted,

\_\_\_\_\_  
**(Name of Defendant)**

By: \_\_\_\_\_  
**(Printed Name of Attorney)**

\_\_\_\_\_  
**(Signature of Attorney)**

Defendant's Attorney

State Bar No. \_\_\_\_\_

### Certificate of Service

This is to certify that I, \_\_\_\_\_ **(Name of Attorney)**, attorney for Plaintiff \_\_\_\_\_ **(Name of Defendant/Petitioner)**, have this date served a true and correct copy of the above and foregoing Motion by U.S. Mail, postage fully prepaid, to the following counsel of record for the State:

\_\_\_\_\_  
**(Name of Attorney)**

\_\_\_\_\_  
**(Post Office Box\_\_\_\_\_)**

\_\_\_\_\_  
**(City, State, Zip Code)**

This the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Respectfully Submitted,

\_\_\_\_\_  
**(Name of Defendant)**

By \_\_\_\_\_  
**(Printed Name of Attorney)**

\_\_\_\_\_  
**(Signature of Attorney)**

Defendant's Attorney

State Bar No. \_\_\_\_\_

OF COUNSEL:

\_\_\_\_\_  
**(Name of Attorney)**

Post Office Box \_\_\_\_\_ - \_\_\_\_\_

\_\_\_\_\_  
City, State, Zip Code

Telephone: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

**Notice of Motion for New Trial for Purpose of Expunging Criminal Record**

You are notified that on \_\_\_\_\_ **(date)**, at \_\_\_\_\_ **(time)**, or as soon thereafter as counsel can be heard, in Courtroom \_\_\_\_\_ of the \_\_\_\_\_ Court for \_\_\_\_\_ County, \_\_\_\_\_ **(State)**, at the \_\_\_\_\_ **(County)** Courthouse at \_\_\_\_\_ **(street address, city, county, state, zip code)**, Defendant \_\_\_\_\_ **(Name of Defendant)**, by and through his attorney, will bring on for hearing his Motion for New Trial for Purpose of Expunging Criminal Record for the reasons stated in the above Motion.

**Respectfully Submitted,**

\_\_\_\_\_  
**(Printed Name of**

**Attorney)**

\_\_\_\_\_  
**(Signature of Attorney)**  
Defendant's Attorney  
State Bar No. \_\_\_\_\_

OF COUNSEL:

\_\_\_\_\_  
**(Name of Attorney)**

Post Office Box \_\_\_\_\_ - \_\_\_\_\_

\_\_\_\_\_  
City, State, Zip Code

Telephone: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

