

IN THE CIRCUIT COURT OF \_\_\_\_\_ COUNTY, WEST VIRGINIA

CIRCUIT COURT NO. \_\_\_\_\_

IN RE:

LOWER COURT NO. \_\_\_\_\_

EXPUNGEMENT OF RECORD OF:

\_\_\_\_\_  
(Full Name of Movant)

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**MOTION FOR EXPUNGEMENT OF CRIMINAL RECORDS DUE TO ACQUITTAL OR  
DISMISSAL FOR REASONS OTHER THAN ENTRY OF A PLEA**

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Comes now the movant, pro se, and in support of his or her Motion for Expungement of Criminal Record does hereby allege and state as follows:

1. That on \_\_\_\_\_, the movant was cited by the  
(Date of Arrest)  
\_\_\_\_\_ for \_\_\_\_\_  
(Arresting or Charging Law Enforcement Agency) (Charges or Offense(s))

2. That on \_\_\_\_\_, this matter was dismissed by the  
(Date of Dismissal)  
\_\_\_\_\_ Court of \_\_\_\_\_ County, due to  
(Type of Court: Municipal, Magistrate, Circuit)  
\_\_\_\_\_  
(Reason for Dismissal.)

3. I, \_\_\_\_\_ have never been convicted of a felony.  
(Movant's Name)

4. That 60 days have elapsed since the above referenced dismissal and that same dismissal was not in exchange for a guilty plea to another offense.

5. There are no current charges or proceedings pending relating to the matter for which I am moving for expungment.

Wherefore, pursuant to W.Va. Code § 61-11-25 (2000), the movant respectfully requests that this Honorable Court expunge all records relating to the arrest, charge or other matters arising out of the arrest or charges, including but not limited to those records delineated in W.Va. Code § 61-11-25 (2000).

\_\_\_\_\_  
Signature of Movant

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\_\_\_\_\_  
(Full Name of Movant)

**CERTIFICATE OF SERVICE**

I do hereby certify that I have this day given a true and correct copy of the foregoing Motion for Expungement of Criminal Records Due to Acquittal or Dismissal for Reasons Other Than Entry of a Plea to the \_\_\_\_\_ County Prosecuting Attorney’s Office, at

Address \_\_\_\_\_

Address \_\_\_\_\_

by the following method:

First Class Mail

Hand Delivery

Certified Mail – Return Receipt

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Movant