

The State of South Carolina



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APPLICATION FOR EXPUNGEMENT

Legibly complete this expungement application before submission. (n/a =not applicable) **Please note that an expungement may take up to 6 months to complete. Call the Solicitor's office if you have any question concerning your application.**

To complete the application, you **MUST** submit and attach the following documents:

- A Certified Disposition of the charges from City of Columbia, Forest Acres, Irmo, Cayce, or any other Magistrate/Municipal Court (Summary Courts)
- Provide a copy of a government issued photo identification (ID)

This Expungement Application covers the following:

1. Dismissed, no-billed, or Nol Prossed (not prosecuted) charges, and not guilty verdicts in General Sessions (Note: For **non-conviction charges in Magistrate/Municipal court**, contact the court where the charge was dismissed to have that court issue the expungement)
2. Fraudulent Check – First Offense conviction
3. Conditional Discharge – First Offense conviction
4. Misdemeanor which carries a maximum penalty of up to 30 days and/or a fine of up to \$1,000 – conviction (includes Domestic Violence 3rd Degree/ CDV- 1st Offense)
5. Youthful Offender Act – First Offense conviction
6. First Offense Simple Possession of a Controlled Substance OR Possession with Intent to Distribute – First Offense drug conviction
7. Failure to Stop for a Blue Light
8. Completion of SC Youth Challenge Academy AND SC Jobs Challenge Program
9. Juvenile Records
10. Successfully completed Pre-Trial Intervention Program (PTI)
11. Successfully completed Traffic Education Program (TEP)
12. Successfully completed Alcohol Education Program (AEP)

PERSONAL INFORMATION

****If your mailing address changes, you MUST contact this office with your new address****

Full Legal Name: _____

Last

First

Middle

Name (if different) (Maiden Name, Alias)

 Last First Middle
 DOB: ____ - ____ - ____ SSN: ____ - ____ - ____ Race: ____ Sex: ____ Age ____

Current Mailing Address: _____
 Street/P O Box

 City State Zip

Phone Number: (____) _____ - _____ Alternate: (____) _____ - _____

Check here if the applicant is **currently incarcerated**
 (If checked, expungement will be mailed to Alvin S. Glenn or any other correctional facility)

Arrest & Charge(s) Information (N/A if not applicable)

List all of the information that is related to the charge(s) you would like to expunged:

<u>Date of Arrest:</u>	<u>Warrant/ Ticket/ Case Number:</u>	<u>Charge(s):</u>	<u>Court of Disposition:</u>

List ALL Arrest Charges including pending, dismissed and convictions on your criminal record with dates: (include ALL SC Counties, ALL States, and Federal)

Have you ever applied for OR been granted an Expungement?

- Yes
- No

If yes, please provide the Date, County, Charge, and Disposition (*Guilty, Not Guilty, Dismissed, Judicial Dismissal or Nolle Prossed*).

EXPUNGEMENT FEE CHART:

Statutes from the Code of Laws of South Carolina	Disposition	Administrative Fee	Verification Fee	Filing Fee
Section 17-1-40	Dismissed, Nol Prossed (not prosecuted), No-billed, or Not Guilty Verdicts	NONE <i>*unless dismissal is part of plea agreement; then \$250</i>	NONE	NONE
Section 17-22-150 (a)	Nolle Prossed- defendant successfully completed Pre-Trial Intervention Program (PTI)	\$250	NONE	\$35
Section 17-22-330 (A)	Nolle Prossed- defendant successfully completed Traffic Education Program (TEP)	\$250	NONE	\$35
Section 17-22-530 (A)	Nolle Prossed-defendant successfully completed Alcohol Education Program (AEP)	\$250	NONE	\$35
Section 17-22-1010	SC Youth Challenge and SC Jobs Challenge Program Completion	\$250	\$25	\$35
Section 22-5-910	Misdemeanor which carries up to 30 days and/or up to \$1000 fine- includes DV 3 rd and CDV	\$250	\$25	\$35
Section 22-5-920	Youthful Offender Act- First Offense Conviction	\$250	\$25	\$35
Section 22-5-930	First Offense Simple Possession Controlled Substance OR Possession with Intent to Distribute	\$250	\$25	\$35
Section 34-11-90(e)	Fraudulent Check –first offense Misdemeanor Conviction	\$250	\$25	\$35
Section 44-53-450(b)	Conditional Discharge- First Offense Conviction	\$250	NONE	\$35
Section 56-5-750(f)	Failure to Stop for a Blue Light- First Offense Conviction	\$250	\$25	\$35
Section 63-19-2050	Destruction of Juvenile Record- includes Arbitration and DJJ Contract Completion	\$250	\$25	\$35

FEES (U.S. Postal Money Orders or Bank Certified Cashier's Check **ONLY**)

Refer to Expungement Fee Chart for Guidance (on back of page)

Check that ALL fees included with the Expungement Application. No address is required on the money orders for Solicitor's Office, SLED, or Clerk of Court.

- Nonrefundable **Administrative Fee (\$250)** made payable to **5th Circuit Solicitor**.
To include: §17-1-40 if dismissed is part of plea, §34-11-90(e), §44-53-450(b), §22-5-910, §22-5-920, §22-5-930, §56-5-750(f), §17-22-1010, §63-19-2050
- Nonrefundable **Filing Fee (\$35)** made payable to the **Clerk of Court**
To include: §34-11-90(e), §44-53-450(b), §22-5-910, §22-5-920, §22-5-930, §56-5-750(f), §17-22-1010, §63-19-2050
- Nonrefundable **Verification Fee (\$25)** made payable to **SLED**.
To include: §34-11-90, §22-5-910, §22-5-920, §22-5-930, §56-5-750, §17-22-1010, §63-19-2050

Disposition/ Type of Charge (Each Guilty Disposition may only be checked once):

- § 17-1-40. The charge was dismissed, *nolle prossed*, or the defendant was found not guilty on _____.
- § 17-22-150 (a). The charge was nolle prossed on _____ by the Solicitor because the defendant successfully completed the Pre-Trial Intervention Program. (PTI Director must attest to eligibility for expungement)
- § 17-22-330 (A). The charge was nolle prossed on _____ by the Solicitor because the defendant successfully completed the Traffic Education Program. (TEP Director must attest to eligibility for expungement).
- § 17-22-530 (A). The charge was nolle prossed on _____ by the Solicitor because the defendant successfully completed the Alcohol Education Program. (AEP Director must attest to eligibility for expungement).
- § 22-5-910. The defendant was convicted of an offense in magistrate, municipal or general sessions court for a crime carrying a penalty of not more than 30 days imprisonment or a fine of \$1,000, or both, on _____, that offense did not involve an offense involving the operation of a motor vehicle, and no additional criminal conviction as defined by §22-5-910 has taken place within three years from date of conviction **or** five years from the date of conviction for first offense criminal domestic violence (conduct occurring prior to June 4, 2015) or third degree domestic violence under §16-25-20. (*Summary court judge must attest to eligibility if disposed of in that court.*)
- § 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 five-year period following completion of his sentence, including probation and parole as a youthful offender. The sentence was completed on _____.
- § 22-5-930(A). The defendant was convicted of a first offense simple possession of a controlled substance under Article 3, Chapter 53, Title 44 or unlawful possession of a prescription drug under Section 40-43-86 (EE) on _____ and no additional convictions, to include out-of-state convictions, have taken place during a three-year period following completion of his sentence, including probation and parole. The sentence was completed on _____.
- § 22-5-930(B). The defendant was convicted of a first offense possession with intent to distribute a controlled substance under Article 3, Chapter 53, Title 44 on _____ and no additional convictions, to include out-of-state convictions, have taken place during a twenty-year period following completion of his sentence, including probation and parole. The sentence was completed on _____.
- § 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, who has not previously been convicted of any offense under Article 3, Chapter 53, Title 44 or any offense under any state or federal statute relating to marijuana, stimulant, depressant, or hallucinogenic drugs, successfully completed all terms of and received a conditional discharge of possession of a controlled substance under Section 44-53-370(c) and (d), or Section 44-53-375(A).
- § 56-5-750(F). The defendant was convicted of a misdemeanor first offense failure to stop motor vehicle (Failure to stop for a Blue Light) on _____ and no additional criminal conviction has taken place for three years after completion of the sentence. The sentence was completed on _____.

Please Note:

If you posted a cash bond with the Clerk of Court on the warrant(s) above and have not been refunded the cash bond then contact 803-576-1939 (Clerk of Court) for details.

By signing below, I acknowledge my understanding of the following: My application does not guarantee that I can have my arrest record(s) removed from my criminal record. A thorough review of my Criminal Arrest Record will reveal whether I am eligible. I may apply directly to the Office of the Solicitor or hire an attorney to apply on my behalf. To apply for an expungement is FREE.

When applicable, I am responsible for the **NON-REFUNDABLE** fees associated with my expungement request: \$250.00 Administrative Fee to the Solicitor's Office, \$25.00 SLED Verification Fee and \$35.00 Filing Fee to the Clerk of Court.

Applicant's Signature: _____ **Date:** _____

For Expungement Office Only:

Reviewer's Signature: _____ Date: _____