

STATE OF SOUTH CAROLINA)
COUNTY/MUNICIPALITY OF CHARLESTON)

IN THE MAGISTRATE/MUNICIPAL COURT
ORDER FOR DESTRUCTION OF ARREST RECORDS

THE STATE OF SOUTH CAROLINA)
v.)
JOHN DOE)
Defendant)
AKA)

Race WHITE Sex MALE Age 42
DOB 1-27-76 SSN xxx-xx-xxxx
SID # _____

Charges were disposed of in the court indicated below:
 Magistrate Municipal

I, _____ Court Judge, find that the below charge(s) under the jurisdiction of this Court was ended by dismissal, *nolle prossed*, or the defendant was found not guilty on 8-30-2017 (date), and the defendant is entitled to have all records, including any outstanding associated bench warrants, relating to this offense expunged and destroyed pursuant to §17-22-950 and/or sealed pursuant to §17-1-40 at no cost to the accused.

Warrant/Ticket/Courtesy Summons No. 54321P Date of Arrest 2-22-2017 Place of Arrest CHARLESTON County, S.C.
Arrest Charge DRIVING UNDER THE INFLUENCE, 1st offense

Warrant/Ticket/Courtesy Summons No. _____ Date of Arrest _____ Place of Arrest _____ County, S.C.
Arrest Charge _____

The charge(s) covered by this order **was not** dismissed or *nolle prossed* because of successful completion of the Pre-Trial Intervention Program, Traffic Education Program, Alcohol Education Program, conditional discharge, or any other statutorily authorized diversion program operated by a solicitor's office. The dismissal did not occur at a preliminary hearing and the accused does not have charges pending in summary court and a court of general sessions that arise out of the same course of events.

I find that §17-22-950 has been complied with as follows (check one):

- The defendant was fingerprinted.
- The defendant was not fingerprinted. The defendant has made application to the summary court for expungement pursuant to §17-22-950(B).

IT IS ORDERED that all records relating to such arrest or issuance of ticket or courtesy summons and subsequent discharge, including associated bench warrants, pursuant to the above-referenced section be expunged and destroyed and that no evidence of such records pertaining to such charge shall be retained by any municipal, county or state agency, except for the following: arrest and booking record, associated bench warrants, mug shots, and fingerprints of the defendant shall be retained under seal pursuant to §17-1-40, by law enforcement, detention, correctional and prosecution agencies for three years and one hundred twenty days, and law enforcement and prosecution agencies may retain the information indefinitely under seal for purposes set forth in §17-1-40 (B)(1)(a) and (b); pursuant to §17-1-40 (C)(1), this order does not require the destruction of evidence gathered, unredacted incident and supplemental reports, and investigative files, which statutorily shall be retained under seal for three years and one hundred twenty days, and may be retained indefinitely under seal for purposes set forth in §17-1-40 (C)(1); and information retained under seal by law enforcement, detention, correctional and prosecution agencies pursuant to §17-1-40 is not a public information and is exempt from disclosure, except by court order. Criminal charges must be removed from all Internet-based public records no later than thirty days from the disposition date.

Arresting Officer/Prosecutor/Affiant (Circle One)
(To Verify Accuracy of Disposition)

TIMOTHY CLAY KULP
Name of Defense Counsel and SC Bar # (if represented)

Printed/Typed Judge Name

Judge Signature and Judge Code

Signed this _____ day of _____, 20 _____

For SLED internal use only: Expunged by SLED by: _____ Date: _____
SCCA 223C1 (Revised 5/16)