

CHECKLIST FOR EXPUNCTION OF RECORD OF CONVICTION PURSUANT  
TO T.C.A. § 40-32-101 (g) and (k)

An 'eligible person' means that you were convicted of no more than two (2) offenses and:

(A) Each of the offenses for which the petitioner seeks expunction are offenses that are eligible for expunction under subsection (g);

(B) The offenses were:

(i) Two (2) misdemeanors; or

(ii) One (1) felony and one (1) misdemeanor;

You may still be eligible for expunction if you were convicted of more than one (1) of the offenses listed in this subdivision (g)(1), if the conduct upon which each conviction is based occurred contemporaneously, occurred at the same location, represented a single continuous criminal episode with a single criminal intent, and all such convictions are eligible for expunction under this part. The offenses of a person who is an eligible petitioner under this subdivision (g)(1)(E) shall be considered a single offense.

Before any petition to expunge a conviction pursuant to T.C.A. § 40-32-101(g) can be filed the following steps must be successfully completed and the required documents attached and returned to the District Attorney's Office in Blountville.

- You must not have any other convictions in this or any other jurisdiction other than the one(s) to be expunged.
- You must have completed all terms of imprisonment, probation, or parole. At least five (5) years must have elapsed since the completion of the sentence imposed for a misdemeanor or Class E felony; or ten (10) years have elapsed since the completion of the sentence imposed for a Class C or D felony. If the sentence included probation or parole, the sentence was completed at the end of the probationary period.
- You must have met all conditions of supervised or unsupervised release, such as parole, probation, or community service. *An Affidavit is attached that you must take with you to the appropriate probation office to have them complete.*
- You must have a copy of the record of the conviction to be expunged. *(This may be obtained from either the Criminal Court Clerk or the General Sessions Court Clerk, depending on which court entered the conviction.)*
- You must have paid all fines, restitution, court costs and other assessments as evidenced by a statement from the appropriate Court Clerk *(this may be obtained from either the Criminal Court Clerk or the General Sessions Court Clerk, depending on which court entered the conviction)*, or other documentary evidence showing that the obligation has been satisfied.

- The conviction must be for either a class C, D, or E felony included on the inclusion list or a misdemeanor that is NOT included on the attached exclusion list.
- If required by the conditions of the sentence imposed, you must have remained free from dependency on or abuse of alcohol or a controlled substance or other prohibited substance for a period of not less than one (1) year.
- You must have photo identification or a government issued ID and bring a copy that we can attach to your petition.
- You must pay a fee of \$100 fee and any other administrative fees assessed by the Clerk's Office at the time of filing your Petition.
- You understand and agree that the District Attorney is not giving legal advice in providing these forms and information relating to the filing of the petition, but is performing an administrative function pursuant to T.C.A. § 40-32-101(g) by assisting in the completion of the petition to expunge and the order of expungement.
- You further understand that the order granting expungement does not affect your voting rights or other citizenship rights, and that further action may be required to have any of those rights restored.
- You understand that the filing of the petition for expungement does not guarantee that the petition will be granted by the Court.
- You further understand that all statements made in the petition for expungement are made under penalty of perjury in connection with an official proceeding.

*Updated 8/2021*

NAME: \_\_\_\_\_

OTHER NAMES (ALIASES): \_\_\_\_\_

CURRENT ADDRESS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_

SOCIAL SECURITY NUMBER : \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

CITIES AND STATES WHERE \_\_\_\_\_

YOU HAVE LIVED \_\_\_\_\_

SINCE YOUR CONVICTION \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_