



KEVIN S. BRACKETT, SOLICITOR
MOSS JUSTICE CENTER – DIVERSIONS OFFICE
1675-1C YORK HIGHWAY • YORK, SOUTH CAROLINA 29745
(803) 628-3028 • FAX: (803) 628-3116

Expungement Application

Please complete all requested information. Incomplete applications will not be processed.

Full Name: _____
List of all other names used (Maiden, Divorced, Aliases, Nicknames): _____

Address: _____
City: _____ State: _____ Zip: _____

Best Phone Number for contact: _____
Email: _____

Name on Arrest Ticket/Warrant: _____
Social Security Number: _____
Date of Birth: _____
Sex: _____ Race: _____
Driver's License Number: _____

If any of the above information is listed incorrectly on the arrest ticket/warrant, please specify the incorrect information: _____

Charges to be expunged: _____
Arrest date: _____
City and County of arrest: _____
Warrant or Ticket number(s): _____

If Case was **Dismissed, Nolle Prossed or Found Not Guilty**, list the date: _____
Pursuant to 17-1-40, No fee is required for Dismissed, Nolle Prossed or Not Guilty charges.
See attached Procedures.

Three (3) Money Orders Are Required with Your Application:

1. **\$250.00 Money Order** made payable to the **16th Circuit Solicitor's Office**
2. **\$25.00 Money Order** made payable to **SLED**
3. **\$35.00 Money Order** made payable to the **Clerk of Court**

NOTE: Applying for expungement **does not guarantee** that the charge(s) can be removed from my criminal record. The South Carolina Legislature and the South Carolina Law Enforcement Division (SLED) determine Eligibility for expungement. Laws regarding expungements are subject to change at any time with or without notice.

ALL FEES ARE NON-REFUNDABLE regardless of whether the charge(s) are found to be statutorily ineligible for expungement.



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Criminal Record Expungement Procedures

The procedure for an expungement of criminal records is handled according to the Order of the Chief Justice of South Carolina and is as follows:

1. Pursuant to §17-22-950, the summary courts are responsible for expunging the records of all criminal cases handled in their courts resulting in a not guilty finding, judicial dismissal, or *nolle pross*. All other expungements should be processed through the solicitor's office and issued by a circuit court judge.
2. In exchange for an expungement service that is provided by the solicitor's office, the applicant must pay the following amounts to the solicitor in the form of separate certified checks or money orders:
 - a. A non-refundable administrative fee of \$250.00 made payable to the solicitor
 - b. A non-refundable SLED verification fee of \$25.00 made payable to SLED, when applicable, and
 - c. A filing fee of \$35.00 made payable to the county clerk of court, when applicable.

Fee Exemption: Pursuant to §17-22-940(B), any person who applies to the solicitor's office for an expungement of general sessions charges pursuant to §17-1-40 (the person was found not guilty or the charge was dismissed or *nolle prossed*) is exempt from paying the administrative fee, unless the charge that is subject to the expungement request was dismissed, discharged, or *nolle prossed* as part of a plea arrangement under which the defendant pled guilty and was sentenced on other charges.
3. The defendant submits the application to the solicitor with the required fees, and the solicitor will send the application to SLED to verify that the offense is eligible for expungement, as provided by the South Carolina Code of Laws.
4. SLED will return the application to the solicitor and indicate if the offense(s) is eligible for expungement.
5. If the offense is determined to be eligible for expungement by SLED, the solicitor will obtain all necessary signatures, including the signature of the summary court judge and the circuit court judge.
6. Once the order is signed by the circuit court judge, the solicitor will file the order with the clerk of court.
7. The solicitor will provide copies of the expungement order to all pertinent governmental agencies as well as the applicant or the applicant's attorney.