

CAUSE NO. _____

IN THE MATTER OF

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IN THE COUNTY COURT

AT LAW NO. 1

RESPONDENT

DENTON COUNTY, TEXAS

Judgment of Not True and Sealing Order

I.

On the _____ day(s) of _____, 20____, came on to be heard the above cause.

Appearing for the State of Texas, Petitioner, was _____. The Respondent appeared in person with his/her attorney _____. The Respondent’s parent(s)/guardian(s)/custodian(s) _____ and _____ and/or the Respondent’s duly appointed Guardian ad Litem _____ also appeared.

Respondent entered a plea of “not true” to his/her case. The trier of fact was (A JURY/THE COURT.) The trier of fact found that the Respondent (DID NOT ENGAGE IN DELINQUENT CONDUCT/WAS NOT A CHILD IN NEED OF SUPERVISION). Whereupon, the Court entered a finding of “Not True” and acquitted Respondent of the allegations in the above-styled matter.

Pursuant to Chapter 58 of Texas Family Code, the Court ORDERS the sealing of all files and records relating to this case.

II.

The specifics of the allegation the subject of this Order are as follows:

Offense: _____ Offense date: _____

Arresting Agency: _____ County in which offense took place: _____

School District at the time of the offense: _____

The Respondent's Identifiers are as follows:

Full Name: _____ Date of Birth: _____

Race: _____ Sex: _____

Social Security Number: _____ Place of Birth: _____

Driver's License or ID Number: _____ TRN: _____

The following entities or agencies are subject to this sealing Order:

Denton County Clerks

Denton County Juvenile Probation

Denton County District Attorney's Office

The Court Reporter, _____

Texas Department of Public Safety

Address: _____

_____ Police Department

Address: _____

_____ Independent School District

Address: _____

Other(s): List entity and address

If checked:

_____ Denton County Sheriff's Office, 127 North Woodrow, Denton, TX 76205

_____ Texas Juvenile Justice Department

Address: _____

III.

IT IS ORDERED that the clerk of this Court shall seal all court records relating to the proceedings, including records created in the clerk's case management system and provide a copy of

this Order to:

The Denton County District Attorney's Office

The Denton County Probation Department, who is hereby Ordered to provide a copy of this Order to each public or private agency that had custody of or that provided supervision or services to Respondent in relation to the conduct that is the subject of this Sealing Order.

The Texas Department of Public Safety. Address of DPS: _____

Email address: expunctions@dps.texas.gov

The _____ Police Department, whose address is _____

Email address: _____.

Any school district of Respondent possessing information regarding the above case, including but not limited to: the _____ Independent School District, whose address is:

Email address: _____.

_____ The Texas Juvenile Justice Department (TJJD), if checked. This item shall be checked if Respondent was committed to TJJD. Address of TJJD: _____

Email address: _____.

_____ The Denton County Sheriff's Office, if checked.

_____ Civil Recovery Services, if checked. Address of Civil Recovery Services:

Email address: _____.

The following entities or agencies: (List entity and its address and email address.)

IV.

IT IS FURTHER ORDERED that upon entry of this Order, the adjudication in this/these cause number(s) is/are vacated and the proceedings are dismissed and treated for all purposes as

though the proceedings had never occurred.

V.

IT IS FURTHER ORDERED an entity receiving this Order shall, not later than the 61st day after the date of receiving this Order, take the following actions as applicable:

A. The Department of Public Safety shall:

Limit access to the records relating to Respondent in the juvenile justice information system to only the Texas Juvenile Justice Department for the purpose of conducting research and statistical studies;

Destroy any other records relating to Respondent in the Department's possession, including DNA records as provided by Section 411.15 of the Government Code; and

Send written verification of the limitation and destruction of the records to this Court.

B. The Texas Juvenile Justice Department shall:

Seal all records relating to Respondent, other than those exempted from sealing under Family Code Section 58.252 (which reads in part as follows: records collected or maintained by the Texas Juvenile Justice Department for statistical and research purposes); and

Send written verification of the sealing of records to this Court.

C. A public or private agency or institution that had custody of or provided supervision or services to Respondent, the juvenile probation department(s), any law enforcement entity subject to this Order, and the prosecuting attorney(s) shall:

Seal all records relating to Respondent; and

Send written verification of the sealing to this Court.

D. Any other entity that receives this Order shall:

Send any records relating to Respondent to this Court;

Delete all index references to Respondent's records; and

Send written verification of the deletion of the index references to this Court.

VI.

IT IS FURTHER ORDERED that if an entity that received this Order later receives an inquiry about Respondent or the matter contained in the records, the entity must respond that no records relating to Respondent or the matter exist.

VII.

IT IS FURTHER ORDERED that if an entity receiving this Order is unable to comply with the Order because the information in the Order is incorrect or insufficient to allow the entity to identify the records that are subject to the Order, the entity shall notify this Court not later than the 30th day after the date of receipt of the Order. The Court shall take any actions necessary and possible to provide the needed information to the entity, including contacting Respondent or his/her attorney.

VIII.

IT IS FURTHER ORDERED that if an entity receiving this Order has no records related to Respondent, the entity shall provide written verification of that fact to this Court not later than the 30th day after the date of receipt of this Order.

IX.

IT IS FURTHER ORDERED that Respondent is not required to state in any proceeding or in any application for employment, licensing, admission, housing, or other public or private benefit that he/she has been the subject of the juvenile matter referred to in this Order.

X.

IT IS FURTHER ORDERED that the information in the records of this matter, the fact that the records of this matter once existed, or Respondent's denial of the existence of the records or of

Respondent's involvement in this juvenile matter may not be used against Respondent in any manner, including in a perjury or other criminal proceeding; a civil proceeding, including an administrative proceeding involving a governmental entity; an application process for licensing or certification; or an admission, employment, or housing decisions.

XI.

IT IS FURTHER ORDERED that Respondent may not waive the protected status of the records that are the subject of this Order or the consequences of the protected status.

SIGNED by me on this the ____ day of _____, 20__.

Kimberly McCary, Judge Presiding
County Court at Law Number One
Sitting as a Juvenile Court