

Cause No. _____

In the Matter of

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In the

§

§

_____ County, Texas

Order of Nondisclosure
Under Section 411.0726
(For Driving While Intoxicated Offenses)

On this the _____, day of _____, 20____, the Court considered Petitioner's petition for an order of nondisclosure under § 411.0726, Gov't Code.

The State was given notice of the petition and an opportunity to request a hearing.
The State

- requested a hearing.
- did not request a hearing.

The Court

- conducted a hearing on _____, 20_____.
- did not conduct a hearing.

Petitioner was placed on deferred adjudication community supervision for an offense under § 49.04 (Driving While Intoxicated), Penal Code, in Criminal Cause No. _____, by this court on _____, _____.

After consideration and a hearing, if a hearing was held, the Court **FINDS** that Petitioner is entitled to file the underlying petition and that issuance of an order of nondisclosure for the above-mentioned offense is in the best interest of justice.

The Court **FURTHER FINDS** that Petitioner's commission of the above-mentioned offense did not result in a motor vehicle accident involving another person, including a person in Petitioner's vehicle.

Accordingly, **IT IS HEREBY ORDERED** that criminal justice agencies are prohibited from disclosing to the public criminal history record information related to the above-mentioned offense.

IT IS FURTHER ORDERED that the criminal history record information pertaining to the arrest and prosecution of Petitioner for the above-mentioned offense shall be sealed and disclosed by the court only to individuals or agencies listed in § 411.076(a), Gov't Code.

IT IS FURTHER ORDERED that no later than the 15th business day after the date that this order issues, the clerk of the court (hereinafter "clerk") shall send all relevant criminal history record information contained in this order or a copy of this order to the Crime Records Service of the Texas Department of Public Safety (hereinafter "DPS") by certified mail, return receipt requested, or secure electronic mail, electronic transmission, or facsimile transmission, in accordance with § 411.075(a), Gov't Code.

IT IS FURTHER ORDERED that no later than 10 business days after receipt of the relevant criminal history record information contained in this order or a copy of this order from the clerk, DPS shall seal the criminal history record information that is the subject of this order and forward the information or copy of this order to the state and federal agencies listed in § 411.075(b), Gov't Code, in accordance with § 411.075(b).

IT IS FURTHER ORDERED that an agency or entity shall seal any criminal history record information maintained by that agency or entity that is the subject of this order no later than 30 business days after the date the agency or entity received the relevant criminal history record information contained in this order or a copy of this order from DPS or a clerk, in accordance with § 411.075(d), Gov't Code.

IT IS FURTHER ORDERED that the clerk shall seal all court records containing information that is the subject of this order as soon as practicable after the date the clerk sends a copy of this order or all relevant criminal history record information contained in this order to DPS, in accordance with § 411.076(b), Gov't Code.

Signed on _____, 20_____.

Judge Presiding

Court/County