

**Diversion Disposition**

THE STATE OF SOUTH CAROLINA

vs.

Race \_\_\_\_\_ Sex \_\_\_\_\_ Age \_\_\_\_\_  
DOB \_\_\_\_\_ SSN \_\_\_\_\_  
SID # \_\_\_\_\_

Defendant \_\_\_\_\_

Charges were disposed of in the court indicated below:

Magistrate  Municipal  General Sessions

AKA \_\_\_\_\_

The defendant is entitled to have all records, including any outstanding associated bench warrants, relating to this offense expunged and destroyed or sealed according to the applicable section of the South Carolina Code of Laws indicated below:

Warrant/GS No. \_\_\_\_\_ Date of Arrest \_\_\_\_\_ Place of Arrest \_\_\_\_\_ County, S.C.

Arrest Charge \_\_\_\_\_

- § 17-22-150(a). The charge was *nolle prossed* on \_\_\_\_\_ by the Solicitor because the defendant successfully completed the Pre-Trial Intervention Program. (*PTI Director must attest to eligibility for expungement*).
- § 17-22-330(A). The charge was *nolle prossed* on \_\_\_\_\_ by the Solicitor because the defendant successfully completed the Traffic Education Program. (*TEP Director must attest to eligibility for expungement*).
- § 17-22-530(A). The charge was *nolle prossed* on \_\_\_\_\_ by the Solicitor because the defendant successfully completed the Alcohol Education Program Program. (*AEP Director must attest to eligibility for expungement*).

IT IS ORDERED that all records relating to such arrest 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 as follows:

- (1) 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); under § 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;
- (2) nonpublic information retained on each person accepted for Pre-Trial Intervention pursuant to § 17-22-130; and
- (3) nonpublic information retained by SLED and S.C. Department of Public Safety/Department of Motor Vehicles pursuant to § 17-22-330(A) and § 17-22-530(A), as well as any nonpublic records retained by S.C. Commission on Prosecution Coordination as required by law.

Name of Defense Counsel (if represented) _____	S.C. Bar No.: _____
<i>To be completed by Solicitor's Office:</i>	
The defendant was eligible for intervention under § 17-22-50, and the charge covered by this order was dismissed or <i>nolle prossed</i> because of successful completion of the Pre-Trial Intervention Program, Traffic Education Program, or Alcohol Education Program. The charge covered by this order can legally be expunged.	
Solicitor: <input type="checkbox"/> Consents <input type="checkbox"/> Declines to Consent <input type="checkbox"/> Determined ineligible for expungement	
Circuit Solicitor _____	Date _____ <b>and</b>
Director PTI /Director TEP/Director AEP (Circle One)	
Printed/Typed Name: _____	Signed this _____ day of _____, 20_____

**IT IS SO ORDERED.**

\_\_\_\_\_, Circuit Court Judge        \_\_\_\_\_ Judge Code        Signed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

**For SLED internal use only:** Expunged by SLED by: \_\_\_\_\_ Date: \_\_\_\_\_