HOW DO I FILE A PETITION FOR A CLASS C EXPUNCTION?

1. ***What is a Class C Misdemeanor?*** A Class C Misdemeanor is a classification of a criminal offense under the Texas Penal Code. A Class C misdemeanor is punishable by fine-only.

2. ***What is the law and procedure for a Class C Expunction?*** The law for Class C expunctions is found in Chapter 55A; the procedure is outlined in Chapter 55A, Subchapter F of the Texas Code of Criminal Procedure.

3. ***Is my case eligible for expunction in the City of Houston?*** Not all cases are eligible for expunction. Your case must be eligible under one of the following provisions:

   • Acquittal (found "Not Guilty") by the trial court. Article 55A.002(2)
   • Convicted and subsequently pardoned, including on the basis of actual innocence. Article 55A.003
   • Released, no final conviction, charge no longer pending. Article 55A.051
   • Tried, convicted, and acquitted by the Court of Criminal Appeals, court of appeals if applicable; or before the person is tried, expunction is recommended by an office of the attorney representing the State authorized to prosecute the offense for which the person was arrested. Article 55A.101
   • Records relating to a complaint dismissed after compliance with an order of deferral of final disposition. Article 45A.305

   Consult an attorney to determine if your case is eligible.

4. ***What do I include with my Petition?*** The Houston Municipal Court does not provide blank forms for expunction. Your petition must include two (2) documents: (1) Petition for Expunction which includes the names and addresses of the agencies who will receive the Final Order, and (2) a Final Order of Expunction. If your case was not heard in the City of Houston Municipal Court, but in another city's municipal court ***within Harris County***, your petition must also include a certified copy of the dismissal Judgment from that court.

5. ***How many copies of my petition should I bring?*** When you are ready to file your petition, you should bring three (3) copies. One copy for the Court, one copy for the State's Attorney, and one copy for your records after it is file-stamped. File your Expunction Petition package, **in person** at:

   City of Houston Municipal Courts
   1400 Lubbock, Room 203
   Houston, Texas 77002
   8:00am to 4:00pm, Monday - Friday

6. ***What is the filing fee?*** The filing fee is $100.00 and $25.00 per entity for each case in which an expunction notice must be mailed. This fee is payable in cash, money order, or credit card. In some circumstances, this fee is refundable. Please check the statute or consult an attorney for refund eligibility.

Notice: The information above is provided as a public service and is not intended to substitute for independent legal advice by an attorney. It is your responsibility to prepare your petition correctly. We cannot take action on improperly prepared documents. You should consult an attorney for proper preparation of your petition. It may take up to ninety (90) days to complete the entire expunction process. Please keep copies of all your documents. If expunction is granted, all court records and files will be destroyed.