

Cause No. \_\_\_\_\_

In the Matter of

§

In the

§

\_\_\_\_\_

§

\_\_\_\_\_ County, Texas

## **Order of Nondisclosure** **Under Section 411.0736**

On this the \_\_\_\_\_, day of \_\_\_\_\_, 20\_\_\_\_, the Court considered Petitioner's petition for an order of nondisclosure under Section 411.0736, Government 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 \_\_\_\_\_, \_\_\_\_\_.
- did not conduct a hearing.

Petitioner was convicted and sentenced for an offense under Section 49.04 (Driving While Intoxicated), Penal Code, other than an offense punishable as a Class A misdemeanor under that section, in Criminal Cause No. \_\_\_\_\_, in this court.

After consideration and a hearing, if a hearing was held as indicated above, the Court **FINDS** that Petitioner is entitled to file a petition and has satisfied the requirements for an order of nondisclosure under Section 411.0736, Government Code. The Court **FURTHER FINDS** that issuance of an order of nondisclosure 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.

The Court did not make an affirmative finding that the offense for which the order of nondisclosure is requested involved family violence, as defined by Section 71.004, Family Code.

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 Section 411.076(a), Government Code.

**IT IS FURTHER ORDERED** that no later than the 15<sup>th</sup> 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 Section 411.075(a), Government 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), Government Code, in accordance with Section 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 Section 411.075(d), Government 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 Section 411.076(b), Government Code.

Signed on \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Judge Presiding

\_\_\_\_\_  
Court/County