

**State of South Carolina
Seventh Judicial Circuit Solicitor's Office
Barry J. Barnette, Circuit Solicitor**

**180 Library Street
Spartanburg SC 29306**

**Expungement Worksheet
(Spartanburg/Cherokee Only)**

**Telephone: 864-596-2630
Telefax: 864-596-2268**

All fees must be submitted at the time of application (Money Orders Only). Each section below can only be used once in a lifetime except 17-1-40 dismissed charges. Fees are non-refundable regardless of whether the charge is found to be statutorily ineligible for expungement or in the Solicitor or his designee does not consent to the expungement. If you pled guilty, paid a fine or served probation, parole or prison time, you must provide documentation of the conviction date, completion of the sentence and all fines/fees must have been paid. If you are unsure of your criminal history you may check your NCIC record on the following website, <https://catch.sled.sc.gov/>. Our office will not provide you with a copy of your criminal history. Please check the box indicating why you think that you are eligible for an expungement.

1. **Successful Completion of a Diversion Program.** Director of the program must verify eligibility. Fees are due at the time of application. Cannot have an expungement under each section more than once in a lifetime. Fees are due at the time of application.

Fees: \$250.00 PTI + \$35.00 Clerk of Court (2 separate money orders)

§17-22-150 Pre-Trial Intervention (PTI)

§17-22-330 Traffic Education Program (TEP)

§17-22-530 Alcohol Education Program (AEP)

2. **Dismissed (§17-1-40)**

Charge(s) was dismissed or was found not guilty. Did not have a plea agreement where you pled guilty to other charges. Did not complete a diversion program or conditional discharge. Our office will process General Sessions cases, however, the summary courts (**Magistrate and Municipal**) are responsible for expunging the records of all criminal cases disposed in those courts in which the charge was dismissed, or found not guilty at trial. You will need to contact the individual courts to determine their expungement application procedures and hours.

Fees: Free

List the warrant/ticket numbers and charge(s):

Dismissed Plea Agreement (§17-1-40)

Charge(s) was dismissed because you pled guilty to other charges.

Fees: \$250.00 PTI (money orders only)

List the warrant/ticket numbers and charge(s):

3. **Conviction in Magistrate/Municipal Court (§22-5-910)** Convicted of a crime carrying a penalty of not more than 30 days imprisonment or fine of \$1000 or both, it has been at least **three (3) years** since the date of conviction with no other out of state or in state convictions. Does not apply to any offenses involving the operation of a motor vehicle. If the charge was **domestic violence**, it must be **five (5) years** since the date of conviction with no other out of state or in state convictions. Cannot have an expungement under this section more than once in a lifetime. Cannot have any pending criminal charges unless pending for more than five (5) years. **Must provide disposition and all court fine/fees must have been paid.**
Fees: \$250.00 PTI + \$35.00 Clerk of Court + \$25.00 SLED (3 separate money orders)

List the warrant/ticket numbers and charge(s):

4. **First Offense Youthful Offender Act Conviction (§22-5-920)**

- Sentenced under the Youthful Offender Act. Was not convicted of an offense classified as a violent crime. Was not required to register with the SC Sex Offender Registry. No convictions out of state or in state during my sentence. It has been **five (5) years** since the date of completion of the sentence with no other out of state or in state convictions, including probation and parole. Cannot have an expungement under this section more than once in a lifetime. **Must provide a letter of completion from South Carolina Probation, Parole & Pardon Services.**
Fees: \$250.00 PTI + \$35.00 Clerk of Court + \$25.00 SLED (3 separate money orders)

List the warrant/ticket numbers and charge(s):

Or

- Not sentenced under the Youthful Offender Act but was convicted prior to June 2, 2010 and was between the age of 17 and 24 at the time of conviction.** Was not convicted of an offense classified as a violent crime. Was not required to register with the SC Sex Offender Registry. No convictions out of state or in state during the sentence. It has been **five (5) years** since the date of completion of the sentence with no other out of state or in state convictions, including probation and parole. Cannot have an expungement under this section more than once in a lifetime.
Must provide a letter of completion from South Carolina Probation, Parole & Pardon Services.
Fees: \$250.00 PTI + \$35.00 Clerk of Court + \$25.00 SLED (3 separate money orders)

List the warrant/ticket numbers and charge(s):

5. **First Offense Drug Convictions (§22-5-930)**

Simple Possession:

Convicted on a first offense for either *simple possession of a controlled substance, or, unlawful possession of a prescription drug including magistrate, municipal and general sessions charges*. It has been at least **three (3) years** from the date of the completion of the sentence, including probation and parole, for this conviction. No other convictions (including out-of-state but excluding minor traffic not involving DUI) within **three (3) years** from the date of the completion of the sentence. Cannot have an expungement under this section more than once in a lifetime. Cannot have any pending criminal charges unless pending more than five (5) years. ***For simple possession of marijuana charges**, cannot have had a conditional discharge within **five years (5) prior to the date of arrest** for the charge sought to be expunged. ***For simple possession of controlled substance or unlawful possession of a prescription drug charges**, cannot have had a conditional discharge within **ten (10) years prior to the date of arrest** for the charge sought to be expunged. **Must provide a letter of completion from South Carolina Probation, Parole & Pardon Services.**

Fees: \$250.00 PTI + \$35.00 Clerk of Court + \$25.00 SLED (3 separate money orders)

List the warrant/ticket numbers and charge(s):

Or

Possession with Intent to Distribute:

Convicted on a first offense possession with intent to distribute a controlled substance. No other convictions (including out-of-state but excluding minor traffic not involving DUI) within **twenty (20) years** from the date of the completion of the sentence including probation and parole, for this conviction and no pending criminal charges unless pending more than five (5) years. Cannot have an expungement under this section more than once in a lifetime. **Must provide a letter of completion from South Carolina Probation, Parole & Pardon Services.**

Fees: \$250.00 PTI + \$35.00 Clerk of Court + \$25.00 SLED (3 separate money orders)

List the warrant/ticket numbers and charge(s):

6. **First Offense Fraud Check (§34-11-90).** Convicted with first offense misdemeanor fraudulent check. No other convictions during the one (1) year period following the conviction including out of state convictions. Cannot have an expungement under this section more than once in a lifetime. Each check is counted as a separate offense. **Must provide a copy of the disposition from the respective court.**

Fees: \$250.00 PTI + \$35.00 Clerk of Court + \$25.00 SLED (3 separate money orders)

Charged in Magistrate or Municipal Court

Charged in General Sessions Court

List the warrant/ticket numbers and charge(s):

7. **Successful Completion of a Conditional Discharge in General Sessions or Magistrate/Municipal Court (§44-53-450).** Convicted of a drug offense relating to marijuana, or stimulant, depressant, or hallucinogenic drugs, pled guilty to or was found guilty of possession of a controlled substance under Section 44-53-370(c) and (d), or Section 44-53-375(A) in Magistrate, Municipal or General Sessions Court. Cannot have any prior drug convictions of any kind. Cannot have an expungement under this section more than once in a lifetime.

Must provide proof of completion and all court fines/fees must have been paid.

Fees: \$250.00 Solicitor's Office + \$35.00 Clerk of Court (2 separate money orders)

Completed in Magistrate or Municipal Court

Completed in General Sessions Court

List the warrant/ticket numbers and charge(s):

8. **First Offense Failure To Stop When Signaled By A Law Enforcement Vehicle (§56-5-750).** Convicted on a first offense where no great bodily injury or death resulted from the violation, was found guilty of a *misdemeanor* and, upon conviction, was fined not less than \$500.00 or imprisoned for not less than 90 days or more than three (3) years. No other convictions (excluding minor traffic offenses not involving DUI) during the *three (3) years* following the completion of the terms and conditions of the sentence. Cannot have an expungement under this section more than once in a lifetime. Cannot have any pending criminal charges unless pending more than five (5) years.

Must provide a letter of completion from South Carolina Probation, Parole & Pardon Services.

Fees: \$250.00 Solicitor's Office + \$35.00 Clerk of Court + \$25.00 SLED (3 separate money orders)

List the warrant/ticket numbers and charge(s):

9. **Juvenile Expungements (§63-19-2050)**

Taken into custody for, charged with, or adjudicated delinquent for having committed a status offense or a nonviolent crime. Does not have any charges pending in family court or general sessions. Must provide a copy of the warrant/ticket and or incident report with law enforcement case number.

Fees: \$250.00 Solicitor's Office + \$35.00 Clerk of Court + \$25.00 SLED (3 separate money orders)