

The following draft is excerpted from the forthcoming 2015 edition of [Relief from a Criminal Conviction: A Digital Guide to Expunctions, Certificates of Relief, and Other Procedures in North Carolina](#), by John Rubin. The 2012 edition of the Relief Guide may be viewed at www.sog.unc.edu/node/2588.

Appendix A: Tables

Below are listed the tables in this guide. If you are interested in further discussion of the relief reflected in a particular table, consult the accompanying portion of this guide.

Expunctions

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Table 1. Misdemeanor Convictions for Offenses Committed before Age 18 and 21

Matters Subject to Expunction	Principal Restrictions on Expunction	Applicable Statutes and Forms
<ul style="list-style-type: none"> • Conviction of <ul style="list-style-type: none"> ○ misdemeanor other than traffic violation committed before age 18; or ○ misdemeanor possession of alcohol (malt beverages or unfortified wine) under G.S. 18B-302(b)(1) committed before age 21 	<ul style="list-style-type: none"> • Offense occurred before age 18 or 21, depending on offense • No prior felony or misdemeanor conviction other than for traffic violation • Petition may not be filed until completion of any probation or two years after conviction, whichever is later • Good behavior and no felony or misdemeanor conviction other than for traffic violation for two years after conviction • No outstanding restitution orders or judgments representing restitution 	<ul style="list-style-type: none"> • G.S. 15A-145(a), (b) • AOC-CR-264 (Jan. 2015), AOC-CR-264I (May 2014) (instructions)

Table 2. Nonviolent Felony Convictions for Offenses Committed before Age 18

Matters Subject to Expunction	Principal Restrictions on Expunction	Applicable Statutes and Forms
<ul style="list-style-type: none"> • Conviction of nonviolent felony as defined in G.S. 15A-145.4(a), excluding <ul style="list-style-type: none"> ○ a Class A through G felony, except for certain PJC's listed below; ○ a felony that includes assault as an element; ○ a felony requiring sex offender registration, whether or not the person is currently required to register; ○ a felony involving certain sex-related or stalking offenses; ○ a felony under G.S. Ch. 90 involving methamphetamine, heroin, or sale, delivery, or possession with intent to sell and deliver cocaine, except that a person may obtain an expunction of a PJC for a Class G, H, or I felony in this category; ○ a felony involving certain racially motivated offenses; ○ a felony under G.S. 14-401.16 (contaminating food or drink); and ○ a felony in which a commercial vehicle was used 	<ul style="list-style-type: none"> • Offense occurred before age 18 • No prior felony or misdemeanor conviction other than for traffic violation • Petition may not be filed earlier than four years after date of conviction or when any active sentence, period of probation, and post-release supervision has been served, whichever occurs later • Good moral character and no felony or misdemeanor conviction other than for traffic violation since conviction • No outstanding warrants or pending criminal cases • Performance of 100 hours of community service after conviction, preferably related to conviction • No outstanding restitution orders or judgments representing restitution • High school diploma or equivalent • No prior expunction as shown by the records of the N.C. Administrative Office of the Courts 	<ul style="list-style-type: none"> • G.S. 15A-145.4 • AOC-CR-279 (Feb. 2015), AOC-CR-279I (Sept. 2013) (instructions)

Table 3. Older Nonviolent Misdemeanor and Felony Convictions

Matters Subject to Expunction	Principal Restrictions on Expunction	Applicable Statutes and Forms
<ul style="list-style-type: none"> • Conviction of nonviolent misdemeanor or felony as defined in G.S. 15A-145.5(a), excluding <ul style="list-style-type: none"> ○ a Class A through G felony or Class A1 misdemeanor; ○ an offense that includes assault as an element; ○ an offense requiring sex offender registration, whether or not the person is currently required to register; ○ an offense involving certain sex-related or stalking offenses; ○ a felony under G.S. Ch. 90 involving methamphetamine, heroin, or sale, delivery, or possession with intent to sell and deliver cocaine; ○ an offense involving certain racially motivated offenses; ○ an offense under G.S. 14-401.16 (contaminating food or drink); ○ an offense under G.S. 14-54(a), 14-54(a1), or 14-56 (effective for petitions filed on or after Dec. 1, 2014); ○ a felony in which a commercial vehicle was used; and ○ an attempt to commit any of the above offenses (effective for petitions filed on or after Dec., 1, 2014) 	<ul style="list-style-type: none"> • No prior felony or misdemeanor conviction other than for traffic violation • Petition may not be filed earlier than 15 years after date of conviction or when any active sentence, period of probation, and post-release supervision has been served, whichever occurs later • Good moral character and no felony or misdemeanor conviction other than for traffic violation since conviction • No outstanding warrants or pending criminal cases • No outstanding restitution orders or judgments representing restitution • No prior expunction under G.S. 15A-145, G.S. 15A-145.1, G.S. 15A-145.2, G.S. 15A-145.3, G.S. 15A-145.4, or G.S. 15A-145.5 	<ul style="list-style-type: none"> • G.S. 15A-145.5 • AOC-CR-281 (Feb. 2015), AOC-CR-281I (Sept. 2013) (instructions)

Table 4. Dismissal or Finding of Not Guilty of Misdemeanors, Felonies, and Certain Infractions

Matters Subject to Expunction	Principal Restrictions on Expunction	Applicable Statutes and Forms
<ul style="list-style-type: none"> • Dismissal or finding of not guilty or not responsible of <ul style="list-style-type: none"> ○ infraction under G.S. 18B-302(i) charged before Dec. 1, 1999; or ○ misdemeanor or felony 	<ul style="list-style-type: none"> • No prior felony conviction • No prior expunction under G.S. 15A-145, G.S. 15A-145.1, G.S. 15A-145.2, G.S. 15A-145.3, G.S. 15A-145.4, G.S. 15A-145.5, or G.S. 15A-146 	<ul style="list-style-type: none"> • G.S. 15A-146(a) • AOC-CR-264 (Jan. 2015), AOC-CR-264I (May 2014) (instructions)
<ul style="list-style-type: none"> • Dismissal or finding of not guilty or not responsible of multiple charges <ul style="list-style-type: none"> ○ for offenses that allegedly occurred during 12-month period; or ○ that were disposed of at the same term of court, regardless of offense date 	<ul style="list-style-type: none"> • No prior felony conviction • No prior expunction under G.S. 15A-145, G.S. 15A-145.1, G.S. 15A-145.2, G.S. 15A-145.3, G.S. 15A-145.4, or G.S. 15A-145.5 • No prior expunction under G.S. 15A-146(a1) except as indicated therein 	<ul style="list-style-type: none"> • G.S. 15A-146(a1) • AOC-CR-264 (Jan. 2015), AOC-CR-264I (May 2014) (instructions)

Table 5. Discharge and Dismissal of Misdemeanors and Class H or I Felonies

Matters Subject to Expunction	Principal Restrictions on Expunction	Applicable Statutes and Forms
<ul style="list-style-type: none"> • Discharge and dismissal of <ul style="list-style-type: none"> ○ any Class H or I felony; or ○ any misdemeanor 	<ul style="list-style-type: none"> • Person must obtain discharge and dismissal, the requirements of which include <ul style="list-style-type: none"> ○ consent of court, prosecutor, and person; ○ no prior conviction of misdemeanor involving moral turpitude or felony; ○ person has not previously been placed on probation; ○ person is unlikely to commit another offense other than Class 3 misdemeanor; and ○ fulfillment of terms of probation (maximum of two years under G.S. 15A-1341(a)) • Person must meet requirements for expunction under G.S. 15A-146 (see Table 4) 	<ul style="list-style-type: none"> • G.S. 15A-1341(a4), G.S. 15A-146 • AOC-CR-264 (Jan. 2015) (expunction); AOC-CR-264I (May 2014) (instructions) • AOC-CR-237 (Dec. 2014) (request for report of conditional discharge); AOC-CR-632A, AOC-CR-632B, AOC-CR-632C (Jan. 2015) (conditional discharge); AOC-CR-622 (Dec. 2014) (disposition of conditional discharge)

Table 6. Deferred Prosecution

Matters Subject to Expunction	Principal Restrictions on Expunction	Applicable Statutes and Forms
<ul style="list-style-type: none"> • Deferred prosecution of <ul style="list-style-type: none"> ○ any Class H or I felony; or ○ any misdemeanor 	<ul style="list-style-type: none"> • Person must obtain deferred prosecution, the requirements of which include <ul style="list-style-type: none"> ○ consent of court, prosecutor, and person; ○ no prior conviction of misdemeanor involving moral turpitude or felony; ○ person has not previously been placed on probation; ○ person is unlikely to commit another offense other than Class 3 misdemeanor; and ○ fulfillment of terms of probation (maximum of two years under G.S. 15A-1341(a)) • Person must meet requirements for expunction under G.S. 15A-146 (see Table 4) 	<ul style="list-style-type: none"> • G.S. 15A-1341(a), G.S. 15A-146 • AOC-CR-264 (Jan. 2015) (expunction); AOC-CR-264I (May 2014) (instructions) • AOC-CR-610 (Dec. 2012) (agreement/order to defer prosecution); AOC-CR-622 (Dec. 2014) (disposition of deferred prosecution)

Table 7. Charges Resulting from Identity Theft

Matters Subject to Expunction	Principal Restrictions on Expunction	Applicable Statutes and Forms
<ul style="list-style-type: none">Finding of not guilty, dismissal, or setting aside of conviction of infraction, misdemeanor, or felony resulting from another person's use of identifying information of named person without that person's permission	<ul style="list-style-type: none">None	<ul style="list-style-type: none">G.S. 15A-147AOC-CR-263 (Jan. 2015)

Table 8. DNA Records

Matters Subject to Expunction	Principal Restrictions on Expunction	Applicable Statutes and Forms
<ul style="list-style-type: none"> • DNA records and samples taken from person convicted or found not guilty by reason of insanity for offenses listed in G.S. 15A-266.4(b) if <ul style="list-style-type: none"> ○ final order by appellate court reversing and dismissing conviction of offense; or ○ pardon of innocence 	<ul style="list-style-type: none"> • Expunction order does not apply to DNA required to be in the state’s database based on other offenses 	<ul style="list-style-type: none"> • G.S. 15A-148
<ul style="list-style-type: none"> • DNA records and samples taken on arrest of person for offenses listed in G.S. 15A-266.3A if <ul style="list-style-type: none"> ○ charge was dismissed; ○ person was acquitted; ○ person was convicted of lesser misdemeanor for which taking of DNA is not required; ○ no charge was filed within any statute of limitations; or ○ no conviction has occurred, at least three years have passed since the date of arrest, and no active prosecution is occurring 	<ul style="list-style-type: none"> • Expunction order does not apply to DNA required to be in the state’s database based on other offenses. • Expunction order does not apply to physical evidence obtained from a sample if evidence relating to another person would be destroyed. 	<ul style="list-style-type: none"> • G.S. 15A-266.3A • AOC-CR-640 (Dec. 2013) (verification of basis for expunction)

Table 9. After Pardon of Innocence

Matters Subject to Expunction	Principal Restrictions on Expunction	Applicable Statutes and Forms
<ul style="list-style-type: none">Conviction of crime for which person has received pardon of innocence	<ul style="list-style-type: none">None	<ul style="list-style-type: none">G.S. 15A-149AOC-CR-265 (Jan. 2015)

Table 10. Discharge and Dismissal of Controlled Substance and Drug Paraphernalia Offenses under G.S. 90-96(a) and (a1)

Matters Subject to Expunction	Principal Restrictions on Expunction	Applicable Statutes and Forms
<ul style="list-style-type: none"> • Discharge and dismissal pursuant to G.S. 90-96(a) of <ul style="list-style-type: none"> ○ misdemeanor possession of a controlled substance within Schedules I through VI of Article 5 of G.S. Ch. 90; ○ felony under G.S. 90-95(a)(3); or ○ misdemeanor possession of drug paraphernalia under G.S. 90-113.22 	<ul style="list-style-type: none"> • Person must obtain discharge and dismissal, the requirements of which include <ul style="list-style-type: none"> ○ no prior felony conviction; ○ no prior conviction under Article 5 of G.S. Ch. 90; ○ no prior conviction under any federal or state statute for substance in Articles 5 or 5A or paraphernalia in Article 5B of G.S. Ch. 90; ○ no prior discharge and dismissal under G.S. 90-96 or G.S. 90-113.14; and ○ fulfillment of terms of probation (maximum of two years under G.S. 15A-1342(a)) • Person must meet requirements for expunction, including <ul style="list-style-type: none"> ○ offense occurred when person was age 21 or younger; ○ good behavior during period of probation; and ○ no felony or misdemeanor conviction as defined in statute, other than for traffic violation 	<ul style="list-style-type: none"> • G.S. 15A-145.2(a), G.S. 90-96(a), (b) • AOC-CR-266 (Jan. 2015) (expunction), AOC-CR-266I (Sept. 2013) (instructions) • AOC-CR-237 (Dec. 2014) (request for report of prior conditional discharge); AOC-CR-619A, AOC-CR-619B, or AOC-CR-619C (Jan. 2015) (conditional discharge); AOC-CR-622 (Dec. 2014) (disposition of conditional discharge)

Table 10 (cont'd)

<ul style="list-style-type: none"> • Discharge and dismissal pursuant to G.S. 90-96(a1) of <ul style="list-style-type: none"> ○ misdemeanor possession of a controlled substance within Schedules I through VI of Article 5 of G.S. Ch. 90; ○ felony under G.S. 90-95(a)(3); or ○ misdemeanor possession of drug paraphernalia under G.S. 90-113.22 	<ul style="list-style-type: none"> • Person must obtain discharge and dismissal, the requirements of which include <ul style="list-style-type: none"> ○ no prior conviction for violation of G.S. 90-95(a)(1), G.S. 90-95(a)(2), G.S. 90-95(a)(3), G.S. 90-113.10, G.S. 90-113.11, G.S. 90-113.12, or G.S. 90-113.22, or discharge and dismissal under G.S. 90-96 or G.S. 90-113.4, for offense committed within seven years of current offense; and ○ fulfillment of terms of probation, which must be for a minimum period of one year and include completion of drug education school within first 150 days of probation unless waived by court • Person must meet requirements for expunction, including <ul style="list-style-type: none"> ○ offense occurred when person was age 21 or younger; ○ good behavior during period of probation for offense in question; and ○ no felony or misdemeanor conviction as defined in statute, other than for traffic violation 	<ul style="list-style-type: none"> • G.S. 15A-145.2(a), G.S. 90-96(a1), (b) • AOC-CR-266 (Jan. 2015) (expunctions), AOC-CR-266I (Sept. 2013) (instructions) • AOC-CR-237 (Dec. 2014) (request for report of prior conditional discharge), AOC-CR-627A, AOC-CR-627B, or AOC-CR-627C (Jan. 2015) (conditional discharge), AOC-CR-622 (Dec, 2014) (disposition of conditional discharge)
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Table 11. Discharge and Dismissal of Toxic Vapor Offenses

Matters Subject to Expunction	Principal Restrictions on Expunction	Applicable Statutes and Forms
<ul style="list-style-type: none"> • Discharge and dismissal pursuant to G.S. 90-113.14(a) of <ul style="list-style-type: none"> ○ inhaling or possessing toxic vapor substance in violation of G.S. Ch. 90, Art. 5A 	<ul style="list-style-type: none"> • Person must obtain discharge and dismissal, the requirements of which include <ul style="list-style-type: none"> ○ no prior conviction under Article 5A of G.S. Ch. 90; ○ no prior conviction under any federal or state statute for substance in Articles 5 or 5A or paraphernalia in Article 5B of G.S. Ch. 90; ○ no prior conviction for substance in Articles 5 or 5A or paraphernalia in Article 5B of G.S. Ch. 90; ○ no prior discharge and dismissal under G.S. 90-96 or G.S. 90-113.14; and ○ fulfillment of terms of probation • Person must meet requirements for expunction, including <ul style="list-style-type: none"> ○ offense occurred when person was age 21 or younger; ○ good behavior during period of probation; and ○ no felony or misdemeanor conviction as defined in statute, other than for traffic violation 	<ul style="list-style-type: none"> • G.S. 15A-145.3(a), G.S. 90-113.14(a), (b) • AOC-CR-268 (Jan. 2015) (expunction), AOC-CR-268I (Sept. 2013) (instructions) • AOC-CR-237 (Dec. 2014) (request for report of prior conditional discharge), AOC-CR-622 (Dec. 2014) (disposition of conditional discharge)

Table 11 (cont'd)

<ul style="list-style-type: none"> • Discharge and dismissal pursuant to G.S. 90-113.14(a1) of <ul style="list-style-type: none"> ○ any offense in G.S. 90-113.10 or G.S. 90-113.11 	<ul style="list-style-type: none"> • Person must obtain discharge and dismissal, the requirements of which include <ul style="list-style-type: none"> ○ no prior conviction for violation of G.S. 90-95(a)(1), G.S. 90-95(a)(2), G.S. 90-95(a)(3), G.S. 90-113.10, G.S. 90-113.11, G.S. 90-113.12, or G.S. 90-113.22, or discharge and dismissal under G.S. 90-96 or G.S. 90-113.4, for offense committed within seven years of current offense; and ○ fulfillment of terms of probation, which must be for a minimum period of one year and include completion of drug education school within first 150 days of probation unless waived by court • Person must meet requirements for expunction, including <ul style="list-style-type: none"> ○ offense occurred when person was age 21 or younger; ○ good behavior during period of probation for offense in question; and ○ no felony or misdemeanor conviction as defined in statute, other than for traffic violation 	<ul style="list-style-type: none"> • G.S. 15A-145.3(a), G.S. 90-113.14(a1), (b) • AOC-CR-268 (Jan. 2015) (expunction), AOC-CR-268I (Sept. 2013) (instructions) • AOC-CR-237 (Dec. 2014) (request for report of prior conditional discharge), AOC-CR-622 (Dec. 2014) (disposition of conditional discharge)
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Table 12. Finding of Not Guilty or Dismissal of Controlled Substance, Drug Paraphernalia, and Toxic Vapor Offenses

Matters Subject to Expunction	Principal Restrictions on Expunction	Applicable Statutes and Forms
<ul style="list-style-type: none"> • Dismissal or finding of not guilty on or after Jan. 1, 2012, of <ul style="list-style-type: none"> ○ misdemeanor possession of a controlled substance within Schedules I through VI of Article 5 of G.S. Ch. 90; or ○ felony under G.S. 90-95(a)(3) • Dismissal or finding of not guilty before Jan. 1, 2012, of <ul style="list-style-type: none"> ○ misdemeanor possession of a controlled substance within Schedules II through VI of Art. 5 of G.S. Ch. 90; or ○ felony possession of less than one gram of cocaine under G.S. 90-95(a)(3) • Dismissal or finding of not guilty of <ul style="list-style-type: none"> ○ misdemeanor under G.S. Ch. 90, Art. 5A (toxic vapors); or ○ possession of drug paraphernalia under G.S. 90-113.2 	<ul style="list-style-type: none"> • Offense allegedly occurred when person was age 21 or younger 	<ul style="list-style-type: none"> • For controlled substance offenses, <ul style="list-style-type: none"> ○ G.S. 15A-145.2(b), G.S. 90-96(d) (for prior version of these statutes, see S.L. 2011-192) ○ AOC-CR-266 (Jan. 2015) (expunction), AOC-CR-266I (Sept. 2013) (instructions) • For toxic vapor and drug paraphernalia offenses, <ul style="list-style-type: none"> ○ G.S. 15A-145.3(b), G.S. 90-113.14(d) ○ AOC-CR-268 (Jan. 2015) (expunction), AOC-CR-268I (Sept. 2013) (instructions)

Table 13. Conviction of Controlled Substance and Drug Paraphernalia Offenses

Matters Subject to Expunction	Principal Restrictions on Expunction	Applicable Statutes and Forms
<ul style="list-style-type: none"> • Conviction on or after Jan. 1, 2012, of <ul style="list-style-type: none"> ○ misdemeanor possession of a controlled substance within Schedules I through VI of Article 5 of G.S. Ch. 90; ○ felony under G.S. 90-95(a)(3); or ○ possession of drug paraphernalia under G.S. 90-113.22 	<ul style="list-style-type: none"> • No prior conviction for^a <ul style="list-style-type: none"> ○ felony; ○ offense under G.S. Ch. 90; or ○ offense under any federal or state statute for controlled substance in any schedule in G.S. Ch. 90 or paraphernalia in Art. 5B of G.S. Ch. 90 • No prior expunction under G.S. 15A-145.2(c) • Petition may not be filed for at least 12 months after conviction • Completion of drug education program unless waived by court • Good behavior since conviction • Commission of offense when age 21 or younger 	<ul style="list-style-type: none"> • G.S. 15A-145.2(c), G.S. 90-96(e) • AOC-CR-266 (Jan. 2015), AOC-CR-266I (Sept. 2013) (instructions)
<ul style="list-style-type: none"> • Conviction before Jan. 1, 2012, of <ul style="list-style-type: none"> ○ misdemeanor possession of a controlled substance in Schedules II through VI of G.S. Ch. 90, Art. 5; ○ felony possession of less than one gram of cocaine under G.S. 90-95(a)(3); or ○ possession of drug paraphernalia under G.S. 90-113.22 	<ul style="list-style-type: none"> • No prior conviction for^a <ul style="list-style-type: none"> ○ offense under Article 5 of G.S. Ch. 90, or ○ offense under any federal or state statute for controlled substance in any schedule in Art. 5 or paraphernalia in Art. 5B of G.S. Ch. 90 • No prior expunction under G.S. 15A-145.2(c) • Petition may not be filed for at least 12 months after conviction • Completion of drug education program unless waived by court • Good behavior since conviction • Commission of offense when age 21 or younger 	<ul style="list-style-type: none"> • G.S. 15A-145.2(c), G.S. 90-96(e) (for prior version of these statutes, see S.L. 2011-192) • AOC-CR-266 (Jan. 2015), AOC-CR-266I (Sept. 2013) (instructions)

^a An alternative interpretation is that the petitioner must be entirely conviction-free.

Table 14. Conviction of Toxic Vapor Offenses

Matters Subject to Expunction	Principal Restrictions on Expunction	Applicable Statutes and Forms
<ul style="list-style-type: none"> • Conviction of misdemeanor under G.S. Ch. 90, Art. 5A (toxic vapors) 	<ul style="list-style-type: none"> • No prior conviction for^a <ul style="list-style-type: none"> ○ offense under Art. 5 or 5A of G.S. Ch. 90; or ○ offense under any federal or state statute for substances in Article 5 or paraphernalia in Art. 5B of G.S. Ch. 90 • No prior expunction under G.S. 15A-145.3(c) • Petition may not be filed for at least 12 months after conviction • Completion of drug education program unless waived by court • Good behavior since conviction • Commission of offense when 21 or younger 	<ul style="list-style-type: none"> • G.S. 15A-145.3(c), G.S. 90-113.14(e) • AOC-CR-268 (Jan. 2015), AOC-CR-268I (Sept. 2013) (instructions)
<p>^a An alternative interpretation is that the petitioner must be entirely conviction-free.</p>		

Table 15. Drug Treatment Court

Matters Subject to Expunction	Principal Restrictions on Expunction	Applicable Statutes and Forms
<ul style="list-style-type: none"> • Deferred prosecution in drug treatment court 	<ul style="list-style-type: none"> • Person must obtain deferred prosecution, the requirements of which include <ul style="list-style-type: none"> ○ eligibility for drug treatment court; ○ consent of prosecutor; and ○ successful completion of drug treatment court program • Person must meet requirements for expunction under G.S. 15A-146 (see Table 4) 	<ul style="list-style-type: none"> • G.S. 15A-1341(a2), G.S. 15A-146 • AOC-CR-264 (Jan. 2015) (expunction); AOC-CR-264I (May 2014) (instructions) • AOC-CR-622 (Dec. 2014) (disposition of deferred prosecution)
<ul style="list-style-type: none"> • Discharge and dismissal in drug treatment court 	<ul style="list-style-type: none"> • Person must obtain discharge and dismissal, the requirements of which include <ul style="list-style-type: none"> ○ eligibility for drug treatment court, and ○ successful completion of drug treatment court program • Person must meet requirements for expunction under G.S. 15A-146 (see Table 4) 	<ul style="list-style-type: none"> • G.S. 15A-1341(a5), G.S. 15A-146 • AOC-CR-264 (Jan. 2015) (expunction); AOC-CR-264I (May 2014) (instructions) • AOC-CR-237 (Dec. 2014) (request for report of prior conditional discharge); AOC-CR-633A, AOC-CR-633B, or AOC-CR-633C (Jan. 2015) (conditional discharge); AOC-CR-622 (Dec. 2014) (disposition of discharge and dismissal)

Table 16. Discharge and Dismissal or Conviction of Prostitution Offenses

Matters Subject to Expunction	Principal Restrictions on Expunction	Applicable Statutes and Forms
<ul style="list-style-type: none"> • Discharge and dismissal of prostitution offense in violation of G.S. 14-204 	<ul style="list-style-type: none"> • Person must obtain discharge and dismissal, the requirements of which include <ul style="list-style-type: none"> ○ no prior conviction or placement on probation for violation of G.S. 14-204; and ○ no prior discharge and dismissal under G.S. 14-204 • Person must meet requirements for expunction, including <ul style="list-style-type: none"> ○ petition may not be filed until completion of discharge and dismissal, for which G.S. 14-204(b) set a period of probation of 12 months with certain conditions; and ○ person meets the requirements for expunction (described in connection with a conviction, below) 	<ul style="list-style-type: none"> • G.S. 15A-145.6, G.S. 14-204 • AOC-CR-282 (Jan. 2015) (expunction), AOC-CR-282I (Oct. 2013) (instructions) • AOC-CR-237 (Dec. 2014) (request for report of prior conditional discharge), AOC-CR-628 (Jan. 2015) (conditional discharge), AOC-CR-622 (Dec. 2014) (disposition of conditional discharge)

Table 16 (cont'd)

<ul style="list-style-type: none"> • Conviction of violation of G.S. 14-204 or former G.S. 14-204(7) 	<ul style="list-style-type: none"> • Person satisfies any one of following: <ul style="list-style-type: none"> ○ participation in prostitution offense was result of having been victim of human trafficking or sexual servitude as described in G.S. 15A-145.6(2)a.; ○ person has no prior convictions for a prostitution offense and at least three years have passed since conviction or completion of sentence, whichever occurs later; or ○ person received a discharge and dismissal, above • Person has no prior conviction of a violent felony or violent misdemeanor as defined in G.S. 15A-145.6(a)(2) • Person has been of good moral character and has no felony or misdemeanor conviction other than a traffic violation since the date of conviction • Person has no outstanding restitution orders or judgments representing restitution • Person has no outstanding warrants or pending criminal cases • Person has not previously received an expunction other than for a prostitution offense 	<ul style="list-style-type: none"> • G.S. 15A-145.6, G.S. 14-204 • AOC-CR-282 (Jan. 2015) (expunction), AO C-CR-282I (Oct. 2013) (instructions)
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Table 17. Discharge and Dismissal or Conviction of Gang Offenses

Matters Subject to Expunction	Principal Restrictions on Expunction	Applicable Statutes and Forms
<ul style="list-style-type: none"> • Discharge and dismissal of <ul style="list-style-type: none"> ○ any Class H felony under G.S. Ch. 14, Art. 13A; or ○ an enhanced offense under G.S. 14-50.22 	<ul style="list-style-type: none"> • Person must obtain discharge and dismissal, the requirements of which include <ul style="list-style-type: none"> ○ offense occurred before person turned 18; ○ no prior felony or misdemeanor conviction other than for traffic violation; ○ fulfillment of terms of probation; and ○ no prior discharge and dismissal under G.S. 14-50.29 • Person must meet requirements for expunction, including <ul style="list-style-type: none"> ○ petition may not be filed until completion of discharge and dismissal, for which G.S. 14-50.29 sets a period of supervised probation of at least one year; ○ person must have been of good behavior and have no felony or misdemeanor conviction other than for traffic violation during period of probation for offense in question; and ○ person has no outstanding restitution orders or judgments representing restitution 	<ul style="list-style-type: none"> • G.S. 15A-145.1, G.S. 14-50.29 • AOC-CR-269 (Jan. 2015) (expunction), AOC-CR-269I (Sept. 2013) (instructions) • AOC-CR-237 (Dec. 2014) (request for report of prior conditional discharge), AOC-CR-621A, AOC-CR-621B, or AOC-CR-621C (Jan. 2015) (conditional discharge), AOC-CR-622 (Dec. 2014) (disposition of conditional discharge)

Table 17 (cont'd)

<ul style="list-style-type: none">• Conviction of<ul style="list-style-type: none">○ any Class H felony under G.S. Ch. 14, Art. 13A; or○ an enhanced offense under G.S. 14-50.22.	<ul style="list-style-type: none">• Offense occurred before person turned 18• No prior felony or misdemeanor conviction other than for traffic violation• Petition may not be filed earlier than completion of probation or two years after conviction, whichever is later• Good behavior and no felony or misdemeanor conviction other than for traffic violation for two years after conviction• No outstanding restitution orders or judgments representing restitution	<ul style="list-style-type: none">• G.S. 15A-145.1, G.S. 14-50.30• AOC-CR-269 (Jan. 2015) (expunction), AOC-CR-269I (Sept. 2013) (instructions)
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Table 18. Discharge and Dismissal of Cyberbullying Offenses

Matters Subject to Expunction	Principal Restrictions on Expunction	Applicable Statutes and Forms
<ul style="list-style-type: none"> • Discharge and dismissal pursuant to G.S. 14-458.1(c) of cyberbullying offense 	<ul style="list-style-type: none"> • Person must obtain discharge and dismissal, the requirements of which include <ul style="list-style-type: none"> ○ offense must have occurred before age 18; and ○ fulfillment of any terms of probation • Person must meet requirements for expunction under G.S. 15A-146 (see Table 4) 	<ul style="list-style-type: none"> • G.S. 14-458.1(c), G.S. 15A-146 • AOC-CR-264 (Jan. 2015) (expunction), AOC-CR-264I (May 2014) (instructions) • AOC-CR-622 (Dec. 2014) (disposition of conditional discharge)
<ul style="list-style-type: none"> • Discharge and dismissal pursuant to G.S. 14-458.2(d) of cyberbullying offense by student against school employee 	<ul style="list-style-type: none"> • Person must obtain discharge and dismissal, which requires fulfillment of any terms of probation • Person must meet requirements for expunction under G.S. 15A-146 (see Table 4) 	<ul style="list-style-type: none"> • G.S. 14-458.2(d), G.S. 15A-146 • AOC-CR-264 (Jan. 2015) (expunction), AOC-CR-264I (May 2014) (instructions) • AOC-CR-622 (Dec. 2014) (disposition of conditional discharge)

Table 19. Deferred Prosecution or Discharge and Dismissal of Tobacco Offenses

Matters Subject to Expunction	Principal Restrictions on Expunction	Applicable Statutes and Forms
<ul style="list-style-type: none"> • Deferred prosecution or discharge and dismissal of misdemeanor violation of G.S. 14-313 	<ul style="list-style-type: none"> • Person must obtain deferred prosecution or discharge and dismissal, the requirements of which include <ul style="list-style-type: none"> ○ person has not previously been placed on probation for violation of G.S. 14-313; and ○ fulfillment of any terms of probation • Person must meet requirements for expunction under G.S. 15A-146 (see Table 4) 	<ul style="list-style-type: none"> • G.S. 14-313(f), G.S. 15A-146 • AOC-CR-264 (Jan. 2015) (expunction), AOC-CR-264I (May 2014) (instructions) • AOC-CR-237 (Dec. 2014) (request for report of prior conditional discharge), AOC-CR-632A, AOC-CR-632B, AOC-CR-632C (Jan. 2015) (conditional discharge), AOC-CR-622 (Dec. 2014) (disposition of conditional discharge)

Table 20. Delinquency Adjudications and Dismissals without Adjudications

Matters Subject to Expunction	Principal Restrictions on Expunction	Applicable Statutes and Forms
<ul style="list-style-type: none"> • Adjudication of delinquency for offense other than one that would be Class A through E felony if committed by adult 	<ul style="list-style-type: none"> • Petitioner must be at least age 18 • Petition may not be filed until at least 18 months after petitioner was released from juvenile court jurisdiction • Good behavior and no subsequent delinquency adjudication or conviction of felony or misdemeanor other than for traffic violation 	<ul style="list-style-type: none"> • G.S. 7B-3200 • AOC-J-903M (Mar. 2002) (petition), AOC-J-904M (Mar. 2002) (affidavit), AOC-J-905M (Mar. 2002) (order), AOC-J-906M (Mar. 2002) (notice)
<ul style="list-style-type: none"> • Dismissal of <ul style="list-style-type: none"> ○ juvenile petition alleging delinquency; or ○ juvenile petition alleging undisciplined status 	<ul style="list-style-type: none"> • Petitioner has reached <ul style="list-style-type: none"> ○ age 16 for expunction of records of dismissed delinquency petition; or ○ age 18 for expunction of records of dismissed undisciplined petition 	<ul style="list-style-type: none"> • G.S. 7B-3200(h) • AOC-J-909M (Mar. 2002)

Table 21. Restoration of Citizenship Rights

Matters Subject to Restoration of Citizenship Rights	Principal Restrictions on Restoration of Citizenship Rights	Applicable Statutes and Forms
<ul style="list-style-type: none"> All felony convictions 	<ul style="list-style-type: none"> Completion of criminal sentence, including any period of incarceration, probation, or post-release supervision following incarceration 	<ul style="list-style-type: none"> G.S. 13-1 AOC-CR-926 (May 2013) (order of restoration for unsupervised probationers or fine-only sentences); AOC-CR-919 (May 2013) (certificate of restoration for person with out-of-state or federal conviction)

Table 22. Certificates of Relief

Matters Subject to Certificate of Relief	Principal Restrictions on Issuance of Certificate of Relief	Applicable Statutes and Forms
<ul style="list-style-type: none"> • Any combination of two or fewer Class G, H, or I felony or misdemeanor convictions in one session of court 	<ul style="list-style-type: none"> • No other convictions for a felony or misdemeanor other than for traffic violation • Person is not in violation of any criminal sentence, or violation is justified, excused, involuntary, or insubstantial • No pending criminal charges • Person is engaged in or seeking a lawful occupation or activity or otherwise has a lawful source of support • Petition may not be filed until 12 months after completion of sentence • Granting of petition would not pose unreasonable risk 	<ul style="list-style-type: none"> • G.S. 15A-173.2 • AOC-CR-273 (June 2012)

Table 23. Restoration of Firearm Rights after Felony Conviction

Matters Subject to Restoration of Firearm Rights	Principal Restrictions on Restoration of Firearm Rights	Applicable Statutes and Forms
<ul style="list-style-type: none"> • Conviction of a “nonviolent felony,” as defined in G.S. 14-415.4(a)(2), including multiple nonviolent felony convictions arising out of the same event and consolidated for sentencing, but excluding <ul style="list-style-type: none"> ○ any Class A through B2 felony; and ○ any Class C through I felony described in G.S. 14-415.4(a)(2)a., b., c., or d. 	<ul style="list-style-type: none"> • No other felony convictions, including a PJC • No misdemeanor conviction of the type described in G.S. 14-415.4(d)(4) and (e)(6), including a PJC • None of the other disqualifying matters in G.S. 14-415.4(e) apply • Residence in North Carolina for at least one year immediately before filing of petition • Restoration of citizenship rights for at least 20 years before filing of petition 	<ul style="list-style-type: none"> • G.S. 14-415.4 • AOC-SP-620 (Oct. 2014)

Table 24. Termination of Registration and Related Obligations

Matters Subject to Termination of Registration and Related Obligations	Principal Restrictions on Termination of Registration	Applicable Statutes and Forms
<ul style="list-style-type: none"> Conviction of an offense subject to Part 2 of Art. 27A of G.S. Ch. 14 (30-year registration program) 	<ul style="list-style-type: none"> Petition may not be filed until 10 years from date of initial county registration in North Carolina Petitioner has not been convicted of subsequent offense requiring registration Petitioner has not been arrested for an offense that would require registration since completing sentence Relief complies with applicable federal law Judge finds that petitioner is not current or potential threat to public safety 	<ul style="list-style-type: none"> G.S. 14-208.12A AOC-CR-262 (Dec. 2011)

Table 25. Termination of Lifetime Satellite-Based Monitoring Obligations

Matters Subject to Termination of Satellite-Based Monitoring Obligations	Principal Restrictions on Termination of Registration	Applicable Statutes and Forms
<ul style="list-style-type: none"> Conviction of an offense subject to Part 3 of Art. 27A of G.S. Ch. 14 or under G.S. 14-27.2A or G.S. 14-27.4A (lifetime satellite-based monitoring program) 	<ul style="list-style-type: none"> Petition may not be filed until one year after completion of sentence, including any period of probation, parole, or post-release supervision No additional reportable convictions during period of satellite-based monitoring Substantial compliance with Art. 27A of G.S. Ch. 14 Commission finds that person is not likely to pose threat to safety of others 	<ul style="list-style-type: none"> G.S. 14-208.43