

____ Theft, § 31.03, Penal Code, punishable as a Class C or B misdemeanor; or

____ Prostitution, § 43.02, Penal Code;

- Petitioner committed the offense for which the order of nondisclosure is requested solely as a victim of the offense of trafficking of persons, continuous trafficking of persons, compelling prostitution, or other similar federal offense;
- If this is Petitioner's second or subsequent petition for an order under this section, Petitioner committed the offense for which the order of nondisclosure is requested prior to submitting Petitioner's first petition for an order of nondisclosure under this section;
- Petitioner provided assistance to law enforcement or the prosecuting attorney, if such assistance was requested, or was unable to provide assistance due to Petitioner's age or physical or mental disability resulting from being a victim of the offense of trafficking of persons, continuous trafficking of persons, compelling prostitution, or other similar federal offense; and
- Petitioner satisfies the requirements of § 411.074(b), Gov't Code.

3. Petitioner Satisfies the Requirements of Section 411.074(b), Gov't Code

Petitioner satisfies the requirements of § 411.074(b), Gov't Code in that:

- Petitioner has never been convicted of or placed on deferred adjudication for any of the following offenses:
 - (A) an offense requiring registration as a sex offender under Chapter 62, Code Crim. Proc.;
 - (B) Aggravated Kidnapping, an offense under § 20.04, Penal Code;
 - (C) an offense under any of the following sections of the Penal Code:
 - § 19.02, Murder;
 - § 19.03, Capital Murder;
 - § 20A.02, Trafficking of Persons;
 - § 20A.03, Continuous Trafficking of Persons;
 - § 22.04, Injury to a Child, Elderly Individual, or Disabled Individual;
 - § 22.041, Abandoning or Endangering a Child;
 - § 25.07, Violation of Court Orders or Conditions of Bond in a Family Violence, Child Abuse or Neglect, Sexual Assault or Abuse, Indecent Assault, Stalking, or Trafficking Case;

- § 25.072, Repeated Violation of Certain Court Orders or Conditions of Bond in a Family Violence, Child Abuse or Neglect, Sexual Assault or Abuse, Indecent Assault, Stalking, or Trafficking Case;
 - § 42.072 Stalking; and
- (D) any other offense involving family violence, as defined by § 71.004, Family Code; and
- The court did not make an affirmative finding that the offense for which the order of nondisclosure is requested involved family violence.

4. Petitioner is Entitled to File a Petition for an Order of Nondisclosure

Petitioner is entitled to file this petition because Petitioner has satisfied the requirements to do so. A person is entitled to file a petition for an order of nondisclosure under § 411.0728, Gov't Code, if the person:

- Was convicted of or placed on deferred adjudication for an offense listed under § 411.0728(a), Gov't Code;
- Committed the offense for which the order of nondisclosure is requested solely as a victim of the offense of trafficking of persons, continuous trafficking of persons, or compelling prostitution under § 20A.02, 20A.03, or 43.05, Penal Code, or of a similar federal offense;
- Committed the offense for which the order of nondisclosure is requested prior to submitting his or her first petition for an order of nondisclosure under § 411.0728, if this is the person's second or subsequent petition for an order of nondisclosure under this section;
- Provided assistance to law enforcement or the prosecuting attorney, if such assistance was requested, and the person was legally obligated to provide the assistance;
- Satisfies the requirements of § 411.074(b), Gov't Code, in that: the person has never been convicted of or placed on deferred adjudication for an offense listed under § 411.074(b); and the court having jurisdiction over the offense for which the order of nondisclosure is requested did not make an affirmative finding that such offense involved family violence.

5. Issuance of an Order of Nondisclosure is in the Best Interest of Justice

The issuance of an order of nondisclosure is in the best of justice.

6. The Fee to File the Petition has been Paid or Otherwise Satisfied

The fee to file this petition is the total amount of the fee required to file a civil petition and \$28.00, or a petitioner may submit a *Statement of Inability to Afford Payment of Court Costs* in lieu of paying any fee. Petitioner has included ⁽¹²⁾

_____ the required filing fee.

_____ a *Statement of Inability to Afford Payment of Court Costs* in lieu of the required fee.

7. Prayer for Relief

Petitioner respectfully prays that the court grant Petitioner's request for an order of nondisclosure under § 411.0728, Gov't Code.

Respectfully submitted,

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