

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

(1)

In the Matter of

§ In the

§

\_\_\_\_\_  
(2)

§

County, Texas

\_\_\_\_\_  
(3)

\_\_\_\_\_  
(4)

**Petition for Order of Nondisclosure**  
**Under Section 411.0727**

\_\_\_\_\_ (5) (“Petitioner”) respectfully petitions the court for an order of nondisclosure under Government Code Section 411.0727 for the offense detailed below.

**1. Completion of Veterans Treatment Court Program**

Petitioner was arrested for, charged with, convicted of, or placed on deferred adjudication community supervision for the offense of \_\_\_\_\_ (6) in Criminal Cause No. \_\_\_\_\_ (7). As a result of the offense, Petitioner entered and successfully completed a veterans treatment court program on \_\_\_\_\_ (8). Evidence of Petitioner’s completion of the program \_\_\_\_\_ (9) attached.

**2. Petitioner Satisfies the Requirements of Government Code Section 411.0727**

Petitioner satisfies the requirements of Section 411.0727, Gov't Code, in that  
Petitioner:

- Successfully completed the veterans treatment court program;
- Did not enter into the veterans treatment court program as a result of a conviction of an offense involving the operation of a motor vehicle while intoxicated;
- Has never been previously convicted of any of the offenses listed in Article 42A.054(a), Code of Criminal Procedure, which includes the following:
  - Section 15.03, Penal Code (Criminal Solicitation), if the offense is punishable as a first degree felony;
  - Section 19.02, Penal Code (Murder);
  - Section 19.03, Penal Code (Capital Murder);
  - Section 20.04, Penal Code (Aggravated Kidnapping);
  - Section 20A.02, Penal Code (Trafficking of Persons);
  - Section 21.11(a)(1), Penal Code (Indecency with a Child);
  - Section 22.011, Penal Code (Sexual Assault);
  - Section 22.021, Penal Code (Aggravated Sexual Assault)
  - Section 22.04(a)(1), Penal Code (Injury to a Child, Elderly Individual, or Disabled Individual), if the offense is punishable as a first degree felony and the victim of the offense is a child;
  - Section 29.03, Penal Code (Aggravated Robbery);
  - Section 30.02, Penal Code (Burglary), if the offense is punishable as a first degree felony under Subsection (d) of that section and the actor committed the offense with the intent to commit a felony under Section 21.02 (Continuous Sexual Abuse of Young Child or Children), 21.11 (Indecency With a Child), 22.011 (Sexual Assault), 22.021 (Aggravated Sexual Assault), or 25.02 (Prohibited Sexual

- Conduct) of the Penal Code;
- Section 43.05, Penal Code (Compelling Prostitution);
  - Section 43.25, Penal Code (Sexual Performance by a Child); and
  - Chapter 481, Health and Safety Code (Texas Controlled Substances Act), for which punishment is increased under Section 481.140 of that Code (Use of Child in Commission of Offense) because of the use or attempted use of a child in the commission of the offense, or under Section 481.134(c), (d), (e), or (f) of that Code (Drug-free Zones) because of a previous conviction of an offense for which punishment was increased under any of those subsections;
- Has never been previously convicted of a sexually violent offense, as defined by Code of Criminal Procedure Article 62.001(6);
  - Was not convicted of any felony offense between the date that Petitioner successfully completed the veterans treatment court program and the second anniversary of that date; and
  - Has waited a minimum of two years following Petitioner's completion of the veterans treatment court program before filing this petition.

**3. Petitioner Satisfies the Requirements of Sec. 411.074, Government Code**

Petitioner satisfies the requirements of Section 411.074 of the Government Code in that:

- Petitioner was not convicted of or placed on deferred adjudication for another offense (*do not include traffic offenses punishable by fine only*) between the date that Petitioner started the veterans treatment court

program and the date that Petitioner completed the two-year waiting period following successful completion of the program;

- Petitioner was not and has not ever been previously convicted of or placed on deferred adjudication for any of the following:
  - (A) An offense requiring registration as a sex offender under Code of Criminal Procedure Chapter 62;
  - (B) an offense under Penal Code Section 20.04 (Aggravated Kidnapping);
  - (C) An offense under any of the following sections of the Penal Code:
    - Section 19.02 (Murder);
    - Section 19.03 (Capital Murder);
    - Section 20A.02 (Trafficking of Persons);
    - Section 20A.03 (Continuous Trafficking of Persons);
    - Section 22.04 (Injury to a Child, Elderly Individual, or Disabled Individual);
    - Section 22.041 (Abandoning or Endangering a Child);
    - Section 25.07 (Violation of Court Orders or Conditions of Bond in a family violence, sexual assault or abuse, indecent assault, stalking, or trafficking case);
    - Section 25.072 (Repeated Violation of Certain Court Orders or Conditions of Bond in family violence, sexual assault or abuse, indecent assault, stalking, or trafficking case); or
    - Section 42.072 (Stalking); and
  - (D) Any other offense involving family violence, as defined by Family Code Section 71.004; and

- The court has not made an affirmative finding that the offense for which the order is requested involved family violence, as defined by Family Code Section 71.004.

**4. Petitioner is Entitled to File a Petition for an Order of Nondisclosure Under Section 411.0727, Gov't Code**

A person is entitled to file a petition for an order of nondisclosure under Government Code Section 411.0727 if the person satisfies the requirements of Sections 411.0727 and 411.074 of the Code.

As indicated above, Petitioner satisfies the requirements of both sections.

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

Issuance of an order is in the best of justice.

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

Filing fees and court costs are required upon filing this petition. Alternatively, a petitioner may submit a *Statement of Inability to Afford Payment of Court Costs* if the petitioner is unable to pay the required fees and costs.

Petitioner has included <sup>(10)</sup>

the required filing fees and court costs.

a Statement of Inability to Afford Payment of Court Costs.

**7. Prayer for Relief**

Petitioner asks the Court to grant Petitioner's request for an order of nondisclosure under Government Code Section 411.0727.

Respectfully submitted,

(11)

\_\_\_\_\_  
Signature

(12)

\_\_\_\_\_  
Printed Name

(13)

\_\_\_\_\_  
Address

(14)

\_\_\_\_\_  
City, State, Zip

(15)

\_\_\_\_\_  
Telephone Number