

STATE OF LOUISIANA

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NO. 2023-K-0578

VERSUS

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COURT OF APPEAL

RAYMOND FORMAN

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FOURTH CIRCUIT

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STATE OF LOUISIANA

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APPLICATION FOR WRITS DIRECTED TO
CRIMINAL DISTRICT COURT ORLEANS PARISH
NO. 449-693, SECTION "H"
Honorable Camille Buras, Judge

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Judge Rosemary Ledet

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(Court composed of Judge Rosemary Ledet, Judge Tiffany Gautier Chase, Judge Dale N. Atkins)

ON APPLICATION FOR REHEARING

Laura Anne Reeds
JUSTICE & ACCOUNTABILITY CENTER OF LOUISIANA
4035 Washington Ave, Suite 203
New Orleans, LA 70125

COUNSEL FOR RELATOR

Jason Rogers Williams, District Attorney
ORLEANS PARISH DISTRICT ATTORNEY'S OFFICE
619 S. White Street
New Orleans, LA 70119

COUNSEL FOR RESPONDENTS

**REHEARING GRANTED FOR CLARIFICATION;
JUDGMENT UNCHANGED
October 6, 2023**

RML

TGC

DNA

We grant the application for rehearing for clarification purposes only. As Mr. Forman correctly points out in his rehearing application, a person seeking to expunge a misdemeanor conviction may proceed under either La. C.Cr.P. art. 977(A)(1) or La. C.Cr.P. art. 977(A)(2). *See* La. C.Cr.P. art. 977(A) (providing that a person may file a motion to expunge his record of arrest and conviction of a misdemeanor offense if either Article 977(A)(1) or Article 977(A)(2) apply). We further clarify that La. C.Cr.P. art. 977 does not apply to a record of arrest that did not result in conviction; the expungement statute of records of arrests that did not result in a conviction is governed solely by La. C.Cr.P. art. 976. Nonetheless, the result in this case remains the same; our original opinion is unchanged.

DECREE

For the foregoing reasons, Mr. Foreman's application for rehearing is granted for purposes of clarification only. This Court's judgment is unchanged.

**REHEARING GRANTED FOR CLARIFICATION;
JUDGMENT UNCHANGED**