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MUNICIPAL COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SHASTA

PEOPLE OF THE STATE)
OF CALIFORNIA,)
)
Plaintiff,)
)
v.)
)
SHAWN MALONE,)
)
Defendant.)
-----)

No. 97M 2529
ORDER FOR DESTRUCTION
OF ARREST RECORDS AND
RETURN OF PROPERTY

**TO: THE DISTRICT ATTORNEY OF SHASTA COUNTY, THE REDDING POLICE
DEPARTMENT AND TO ANY OTHER LAW ENFORCEMENT AGENCIES
INVOLVED:**

The defendant, Shawn Malone, having been exonerated of the offense for
which he was arrested in this case, specifically, unauthorized possession of
marijuana (Health & Safety Code § 11357), this court finds the defendant factually
innocent of that charge.

IT IS ORDERED that the District Attorney of Shasta County, the Redding
Police Department, and any other law enforcement agencies involved in this case,
seal their records of the arrest of Shawn Malone, which arrest occurred on or about

1 March 7, 1997, and also seal this order for a period of three years from the date of
2 that arrest, and thereafter destroy their records of this arrest and this court order.

3 IT IS FURTHER ORDERED that the Shasta County District Attorney, the
4 Redding Police Department and any other law enforcement agency involved in this
5 case request the destruction of any records of the arrest they have given to any local,
6 state or federal agency, person or entity.

7 IT IS FURTHER ORDERED that each state or local agency or person or entity
8 in California receiving such a request destroy its records of the arrest and the request
9 to destroy such records.

10 IT IS FURTHER ORDERED that documentation of arrest records destroyed
11 pursuant to this order which are contained in investigative police reports shall bear
12 the notation "EXONERATED" whenever reference is made to the arrestee.

13 IT IS FURTHER ORDERED that the Redding Police Department notify Shawn
14 Malone, through his attorney, Bonnie Margaret Ross, in writing of the sealing and
15 destruction of the arrest records pursuant to this order.

16 IT IS FURTHER ORDERED that the destruction of records shall be
17 accomplished by permanent obliteration of all entries or notations upon such
18 records pertaining to the arrest and the records shall be prepared again so that it
19 appears that the arrest never occurred. However, where the only entries or the
20 record pertain to the arrest and the record can be destroyed without necessarily
effecting the destruction of other records, then the document constituting the record
shall be physically destroyed.

1 IT IS FURTHER ORDERED that the following items seized on March 7, 1997,
2 by members of the Redding Police Department be returned forthwith to the
3 defendant: 3.5 grams of marijuana in a clear plastic bag.

4 Dated: _____

Judge of the Municipal Court

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