



LAW OFFICE OF THE PUBLIC DEFENDER

17TH JUDICIAL DISTRICT, PARISH OF LAFOURCHE, STATE OF LOUISIANA

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Louisiana Code of Criminal Procedure article 894 (" 894 Plea")

Defendant:	Docket No.
Date of Conviction:	Charge:
Probation Period:	

Today, you entered a guilty plea in connection with a misdemeanor charge under provisions of La.C.Cr.P. art. 894 which is commonly known as an "894 Plea."

What is an "894 Plea"?

"894" is simply the code of criminal procedure article that allows for a misdemeanor conviction to be expunged after successfully completing probation. So the term "894 plea" simply means you are pleading guilty to a misdemeanor with an expungement opportunity. Under article 894, a guilty plea conviction can be set aside and the prosecution dismissed after the conclusion of the probationary period when the probationary conditions are satisfied; there are no new convictions; and no new arrests pending against the probationer. As a general rule, article 894 can be used every 5 years unless it is for a DWI. In that case, it can be used every 10 years.

Expungement IS NOT automatic!

Upon completing the probationary conditions, the probationer can petition the court to set aside and the conviction and having the prosecution dismissed. Then the probationer may procedure with expungement of the conviction. If no action is taken by the probationer, the conviction IS NOT automatically expunged by law.

The Louisiana Clerk of Court's office has self-help expungement forms available online at:

<http://www.laclerksofcourt.org/Expungement%20Forms%20Index.htm>

Habitual Offender or statutory enhancements:

A conviction set aside under article 894 has the same civil effects as an acquittal but can be used as a prior conviction for any habitual offender or statutory enhancements available on a new arrest and prosecution.