

**INFORMATION ONLY, NOT TO BE USED AS LEGAL ADVICE**

**CLARIFICATION WHEN DETERMINING ELIGIBILITY WITH CONVICTIONS IN MORE THAN ONE COUNTY**

Some people have convictions in more than one county.

Before filing for expungement, a person must be “time eligible” in every county **or** get permission from the prosecutor to file early.

For example, Ms. A has a misdemeanor in Marion County from five (5) years ago. She has no convictions anywhere else in the state in the last five (5) years. She is time eligible to file in Marion County.

Ms. A also has a felony in Allen County from five (5) years ago. Because Ms. A needs to be without a felony conviction for eight (8) years before she files for expungement, she is not time eligible.

Ms. A could ask for early filing permission in Allen County. She would have to ask for the permission from the prosecutor. ***If Ms. A filed in Marion County (where she’s eligible because of the misdemeanor) without getting permission from the prosecutor in Allen County, she might find that Allen County would deny her expungement permanently.***