

INCLUSION LIST

A Class E felony committed after November 1, 1989, may be expunged if the sentence was for three (3) years or less and appears in the below list. *(If the conviction is for a class E felony committed after November 1, 1989, and is not on this list, it cannot be expunged. If the sentence was for more than three (3) years it cannot be expunged.)*

39-11-411 Accessory after the fact;
39-13-306 Custodial interference where person not voluntarily returned by defendant;
39-13-604(c)(2) Knowing dissemination of illegally recorded cellular communication;
39-14-105(2) Theft (\$501-\$999)
39-14-114(c) Forgery (up to \$1,000);
39-14-115 Criminal simulation (up to \$1,000);
39-14-116(c) Hindering secured creditors;
39-14-117(b) Fraud in insolvency;
39-14-118 Fraudulent use of credit card or debit card (\$501-\$999);
39-14-121 Worthless checks (\$501-\$999);
39-14-130 Destruction of valuable papers (\$501-\$999);
39-14-131 Destruction or concealment of will;
39-14-133 Fraudulent or false insurance claim (\$501-\$999);
39-14-137(b) Fraudulent qualifying for set aside programs (\$501-\$999);
39-14-138 Theft of trade secrets (\$501-\$999);
39-14-139 Sale of recorded live performances without consent (\$501-\$999);
39-14-143 Unauthorized solicitation for police, judicial or safety associations;
39-14-147(f) Fraudulent transfer of motor vehicle with value of less than \$20,000;
39-14-149 Communication theft (\$501-\$999 (fine only);
39-14-153 False information in applying for housing project accommodations
39-14-402 Burglary of an auto;
39-14-408 Vandalism (\$501-\$999);
39-14-411 Utility service interruption or property damage;
39-14-505 Aggravated criminal littering (2nd and 3rd offenses involving certain weight or volume);
39-14-602 Violation of Tennessee Personal and Commercial Computer Act (\$501-\$999);
39-14-603 Unsolicited bulk electronic mail (\$500- \$999);
39-16-201 Taking telecommunication device into penal institution;
39-16-302 Impersonation of licensed professional;
39-16-603 Evading arrest in motor vehicle where no risk to bystanders;
39-16-609(e) Failure to appear (felony);
39-17-106 Gifts of adulterated candy or food;
39-17-417(f) Manufacture, delivery, sale or possession of Schedule V drug (fine not greater than \$5,000);
39-17-417(g)(1) Manufacture, delivery, sale or possession of not less than ½ ounce and not more than 10 pounds of Schedule VI; drug marijuana (fine not greater than \$1,000);
39-17-417(h) Manufacture, delivery, sale or possession of Schedule VII drug (fine not greater than \$1,000);
39-17-418(e) Simple possession or casual exchange (3rd offense);
39-17-422(c) Selling glue for unlawful purpose;
39-17-423(c) Counterfeit controlled substance;
39-17-425(b)(1), (2), (3) Unlawful drug paraphernalia uses and activities;