

**OPINION SUMMARY**  
**MISSOURI COURT OF APPEALS—EASTERN DISTRICT**  
**DIVISION TWO**

LAUREN ELAINE SUTTON, <sup>1</sup>	)	No. ED101962
	)	
Respondent,	)	
	)	
vs.	)	
	)	Appeal from the Circuit Court
MUNICIPAL COURT DIVISION,	)	of St. Louis County
DES PERES, <sup>2</sup>	)	14SL-CC01325
	)	
Defendant,	)	
and	)	Honorable Maura B. McShane
	)	
MISSOURI STATE HIGHWAY	)	
PATROL CRIMINAL RECORDS	)	
REPOSITORY,	)	
	)	
Appellant.	)	FILED: May 19, 2015

The Missouri State Highway Patrol Criminal Records Repository (MSHP) appeals from the trial court’s Judgment and Order of Expungement of Arrest Records in favor of Lauren Elaine Sutton (Sutton).

REVERSED.

Division Two Holds: Under the expungement statute, Section 610.122, Sutton was required to prove by a preponderance of the evidence that her arrest was based on false information and that there was no probable cause, at the time of the action to expunge, to believe she committed the offense. However, Sutton failed to establish that her arrest for stealing was based on false information and that there was no probable cause to support her arrest at the time of the action to expunge given that Sutton testified that she provided a written statement to police at the time of her arrest in which she admitted taking certain property from a store.

Opinion by: Mary K. Hoff, J.  
Sherri B. Sullivan, P.J., and Philip M. Hess, J., Concur.

Attorney for Appellant: Lauren Sutton, *Pro Se*

Attorney for Respondent: Theodore A. Bruce  
Gregory M. Goodwin

**THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.**

<sup>1</sup> Respondent Lauren Elaine Sutton did not file a responsive brief on appeal.

<sup>2</sup> Defendant Municipal Court Division Des Peres is not a party to this appeal.