



Lynn Fitch
ATTORNEY GENERAL
OPINIONS AND POLICY

July 15, 2026

The Honorable Rebecca Phipps
Judge, Corinth Municipal Court
Post Office Box 669
Corinth, Mississippi 38835-0669

Re: Jurisdiction to Expunge Municipal Court Convictions

Dear Judge Phipps:

The Office of the Attorney General has received your request for an official opinion.

Question Presented

Does expungement authority remain exclusively with the municipal court that rendered the original judgment, unless otherwise provided by statute?

Brief Response

Yes, the municipal court in which an individual was convicted maintains jurisdiction to expunge such conviction unless otherwise provided by statute.

Applicable Law and Discussion

Mississippi Code Annotated Section 99-19-71(1) provides that “[a]ny person who has been convicted of a misdemeanor that is not a traffic violation, and who is a first offender, *may petition the justice, county, circuit or municipal court in which the conviction was had* for an order to expunge any such conviction from all public records.” (emphasis added). Section 21-23-7(1) provides municipal courts with “the jurisdiction to hear and determine, without a jury and without a record of the testimony, all cases charging violations of the municipal ordinances and state misdemeanor laws made offenses against the municipality and to punish offenders therefor as may be prescribed by law.” Accordingly, it is the opinion of this office that, pursuant to Section 99-19-71, the municipal court in which an individual was convicted maintains jurisdiction to expunge such conviction unless otherwise provided by statute.

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A notable statutory mandate where the municipal court would not retain jurisdiction is the expungement of a first-offense DUI conviction. Pursuant to Section 63-11-30(13)(a), eligible individuals “may petition the circuit court of the county in which the [first-offense DUI] conviction was had for an order to expunge the record of the conviction.” This said, a municipal court maintains the “authority to expunge a first-offense DUI charge that was nonadjudicated by that [municipal] court.” MS AG Op., *Booker* at *1 (Sept. 29, 2020).

If this office may be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

LYNN FITCH, ATTORNEY GENERAL

By: */s/ Maggie Kate Bobo*

Maggie Kate Bobo
Special Assistant Attorney General

OFFICIAL OPINION