COMMONWEALTH OF MASSACHUSETTS

SEX OFFENDER REGISTRY BOARD

SORB Case No.

Petitioner

v.

SEX OFFENDER REGISTRY BOARD,

Respondent

MOTION TO TERMINATE REGISTRATION AND FOR APPOINTMENT OF COUNSEL

Now comes and moves that the Sex Offender Registry Board

terminate his/her registration obligation pursuant to 803 C.M.R. 1.30, and relieve him/her of the obligation to register as a sex offender, in accordance with G.L.c. 6, *§* 178G. The petitioner also moves for a hearing and appointment of counsel because he/she is indigent. See attached Affidavit of Indigency; See *Daniel Noe v. SORB*, SJC-12447 (August 1, 2018).

As grounds therefore, I, (your name), state that the

following is true to the best of my knowledge and belief:

1. I was convicted or adjudicated for a sex offense on or about (date of

your last sex offense conviction/adjudication) and;

*Check off which applies to you:*

|  |  |
| --- | --- |
|  | It has been at least ten years since my conviction or release from custody, probation or parole, whichever is later. **OR**My only sex offense was the result of an adjudication as a youthful offender or as a delinquent juvenile, and I am allowed to file a motion to terminate at any time after my final classification. See 803 CMR 1.30 (4)**.** |

1. My classification determination has become final and is not under judicial review, appeal, or review by the Board.
2. There are no pending charges against me and I am not presently incarcerated.
3. I have not been determined to be a sexually violent predator, not been convicted of two or more sex offenses involving a child committed on different occasions, not been convicted of a sexually violent offense and not been convicted of a sex offense involving a child.
4. Although I was convicted of a sex offense involving a child, I have already been registered for at least ten years. [Remove this if it does not apply]
5. Even though I was convicted of two or more sex offenses involving a child committed on different occasions and/or a sexually violent offense, I should not have to register because I no longer pose any risk of re-offense or danger to the public. See *Doe No. 8725 v. Sex Offender Registry Board,* 450 Mass. 780 (2008). [Remove this if it does not apply]
6. I have not committed a new sex offense within ten years following the date of conviction, adjudication or release from custody or supervision, whichever last occurs;

**OR**

My only sex offense was the result of an adjudication as a youthful offender or as a delinquent juvenile, and I may file a motion to terminate at any time after my final classification. 803 CMR 1.30 (4).

1. New and updated information establishes that I am not likely to pose a risk of re-offense or danger to the safety of others. I expect to submit additional information once I confer with counsel.
2. I am indigent and refer the Board to the attached Affidavit of Indigency. Signed under the pains and penalties of perjury,

By Petitioner (Signature of petitioner)

Name of petitioner (printed)

Address

Sex Offender Number Date of Birth

*If Applicable:*

*Name of Legal Guardian (printed)*

*Address of Legal Guardian:*

DATE: