

COPY

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR MARION COUNTY, FLORIDA

STATE OF FLORIDA,

Plaintiff,

CASE NO.:

vs.

Petitioner.

**ORDER GRANTING PETITION FOR REMOVAL FROM FLORIDA'S SEX
OFFENDER REGISTRY PURSUANT TO §943.0435(11)**

THIS MATTER came before the Court for Hearing on [REDACTED]

(" [REDACTED] ") Petition for Removal from Florida's Sexual Offender Registry.

Petitioner's original conviction, which resulted in his requirement to register, was in Marion County, Florida, and as such, this Court has proper jurisdiction to hear the instant Petition.

Petitioner's obligation to register as a sexual offender arises from a 1992 Judgment and Sentence where adjudication of guilt was withheld in connection with a qualifying sexual offense. Petitioner was sentenced to two (2) years of community control followed by a term of five (5) years of regular probation, with a special condition of thirty (30) days in the Marion County Jail. [REDACTED] completed all terms and conditions of his probation and [REDACTED] Petition for Early Termination of Probation was granted in 1999. Petitioner has no subsequent arrests.

Florida Statutes, §943.0435(11)(2001) afforded persons required to register as sexual offenders the opportunity to petition the criminal division of the circuit court for the purpose of removing the requirement to register as a sexual offender, twenty (20) years after such person

has been lawfully released from confinement, supervision, or sanction, whichever is later, and such person has not had any arrests during that time.

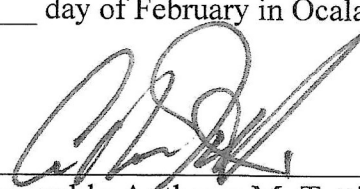
Florida Statutes, §943.0435(11) further requires that the State Attorney in the circuit in which the petition is filed be given notice of the petition at least three (3) weeks before the hearing on the matter. The State Attorney may present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. The Court finds that the State Attorney has been given notice of the Petition at least three (3) weeks before the hearing on this matter and did not file a Response opposing the requested relief. The Court further finds that the Petitioner is no longer a current or potential threat to public safety.

Having considered [REDACTED]' Petition, the Exhibits attached thereto, along with arguments presented by the State and by the Defense, it is hereby

ORDERED AND ADJUDGED that the Petition be **GRANTED**, and that [REDACTED]. [REDACTED] is no longer required to comply with the requirements for registration as a sexual offender. It is further

ORDERED AND ADJUDGED that the Petitioner's name, image and information be removed from the Florida Sex Offender Registry website administered by the Florida Department of Law Enforcement.

DONE AND ORDERED on this the 27 day of February in Ocala, Marion County, Florida.



Honorable Anthony M. Tatti
Circuit Judge

Copies:

Barbara Harris – Office of State Attorney
Gilbert A. Schaffnit – Attorney for Defendant
Florida Department of Law Enforcement