

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT
IN AND FOR ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,

Plaintiff,

CASE NO.: ~~96-20440~~

VS.

~~XXXXXXXXXX~~,

Petitioner.

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

THIS MATTER came before the Court on Hearing upon Micheal Dean Jacobs' Petition for Removal from Florida's Sexual Offender Registry. The Court finds as follows:

Petitioner's offense occurred in St. Johns County, and as such, this Court has jurisdiction to consider the instant Petition.

Petitioner's obligation to register as a sexual offender arises from a 1997 conviction for a qualifying sexual offense, to wit: One (1) Count of Lewd and Lascivious Assault for which Petitioner was sentenced to ten (10) years of sex offender probation with the special conditions of 364 days in county jail, fifty (50) hours of community service, and have no contact with the victim. Mr. Jacobs was granted an early termination of his sex offender probation on May 12, 2002. Petitioner has no subsequent arrests after termination of supervision.

Florida Statutes, §943.0435(11)(1999) affords 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. The Court further finds that the State Attorney has stipulated, in writing, to the jurisdiction of the Court and the applicability of Florida Statutes, §934.0435(11)(1999) and that there is no legal bar to [REDACTED] being granted the relief he seeks under State or Federal law.

Further, upon consideration of the testimony presented by Dr. Eric Imhof, whose qualifications and credentials were stipulated to by the State and found acceptable to the Court, the Court further finds that:

Based on the extensive evaluation of [REDACTED] by Dr. Imhof, [REDACTED] was found to present a negligible risk to reoffend and that [REDACTED] does not constitute a present danger to the community.

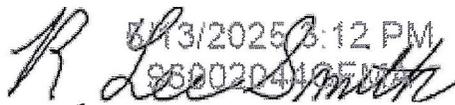
The Court's finding is supported by Dr. Imhof's testimony that based upon extensive testing, [REDACTED] suffers from no mental health disorder including, but not limited to, an anti-social personality disorder. The Court further finds that Dr. Imhof's opinions are supported by the fact that [REDACTED] successfully completed a course of sex offender counseling and treatment during his term of sex offender probation and that individuals like [REDACTED] who complete community-based sex offender treatment

experience markedly lower recidivism rates. The Court further accepts Dr. Imhof's opinion that [REDACTED] twenty-three (23) year absence of any contact with law enforcement since his early termination from sex offender probation, coupled with his extensive family and community support and decades long history of stable employment with one (1) employer further serves to mitigate [REDACTED] risk.

Therefore, having considered Mr. Jacobs' Petition, the Exhibits attached thereto, along with the State of Florida's written Stipulation as to the jurisdiction of the Court, and the applicability of the 1999 version of Florida Statutes, § 943.0435(11)(1999), the testimony of Dr. Imhof, and the arguments of counsel for [REDACTED] and for the State, it is hereby:

ORDERED AND ADJUDGED that the Petition be **GRANTED**, and that [REDACTED] is no longer required to comply with the requirements for registration as a sexual offender in the State of Florida and that the Florida Department of Law Enforcement is Ordered and directed to remove [REDACTED] image and likeness from the Florida Sex Offender Registry immediately upon receipt of this Order.

DONE AND ORDERED in chambers, in St. Johns County, Florida, on 13 day of May, 2025.

 5/13/2025 3:12 PM
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e-Signed 5/13/2025 3:12 PM 96002044CFMA
CIRCUIT JUDGE

Copies:

Sarah Elizabeth Thomas-Office of State Attorney
Gilbert A. Schaffnit – Attorney for Defendant
Florida Department of Law Enforcement