

NO. _____

IN THE MATTER OF	{}	IN THE 323RD DISTRICT COURT
	{}	OF
_____	{}	TARRANT COUNTY, TEXAS

WAIVER OF ARTICLE 62.13 HEARING

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES the State of Texas by and through her Criminal District Attorney for Tarrant County, Texas and files this Waiver of Article 62.13 Hearing.

Pursuant to Article 62.13(f) of the Texas Code of Criminal Procedure, the State hereby waives a hearing and **agrees to excuse** Respondent's sex offender registration by entry of the attached Order.

This waiver is not entered under a plea agreement.

Respectfully submitted,

TIM CURRY
CRIMINAL DISTRICT ATTORNEY
TARRANT COUNTY, TEXAS

_____, Assistant
Criminal District Attorney
401 W. Belknap
Fort Worth, Texas 76196
Tarrant County, Texas
817-838-4613
817-838-4616 fax
Bar Card No. _____

CERTIFICATE OF SERVICE

I, _____, do hereby certify that a true and correct copy of the foregoing State's Waiver of Article 62.13 Hearing was hand-delivered/faxed/mailed to _____, attorney of record for Respondent, on the _____ day of _____, 200__.

_____, Assistant
Criminal District Attorney
Tarrant County, Texas
Bar Card No. _____

CERTIFICATE OF SERVICE

I, _____, do hereby certify that a true and correct copy of the foregoing State's Limited Waiver of Article 62.13 Hearing was hand-delivered/faxed/mailed to _____, attorney of record for Respondent, on the _____ day of _____, 200__.

_____, Assistant
Criminal District Attorney
Tarrant County, Texas
Bar Card No. _____

CERTIFICATE OF SERVICE

I, _____, do hereby certify that a true and correct copy of the foregoing State's Limited Waiver of Article 62.13 Hearing was hand-delivered/faxed/mailed to _____, attorney of record for Respondent, on the _____ day of _____, 200__.

_____, Assistant
Criminal District Attorney
Tarrant County, Texas
Bar Card No. _____

NO. _____

IN THE MATTER OF	{}	IN THE 323RD DISTRICT COURT
	{}	OF
_____	{}	TARRANT COUNTY, TEXAS
DOB _____		

SEX OFFENDER REGISTRATION ORDER
(DENIAL OF MOTION TO EXCUSE OR MODIFY REGISTRATION)

On this the ____ day of _____, 200__, in this court sitting as a Juvenile Court, came on to be heard Respondent’s Motion requesting that sex offender registration be excused, made nonpublic or deferred.

After due notice had been served on all parties, came and appeared _____, Respondent, and his/her Attorney and parent, as well as a representative of the District Attorney’s office. All parties announced ready; and thereupon the Court, after hearing the pleadings of all parties and hearing the evidence and argument of counsel, makes the following findings:

- 1) The interests of the public require registration under Chapter 62 of the Texas Code of Criminal Procedure; and
- 2) The protection of the public would be increased by registration of the Respondent under Chapter 62 of the Texas Code of Criminal Procedure; and
- 3) Any potential increase in protection of the public resulting from registration is **not** clearly outweighed by any anticipated substantial harm to the Respondent and the

Respondent's family that would result from registration under Chapter 62 of the Texas Code of Criminal Procedure.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Respondent's Motion be and is hereby **DENIED**. Respondent is **ORDERED** to register as a sex offender as required by Chapter 62 of the Texas Code of Criminal Procedure.

SIGNED and **ENTERED** this the _____ day of _____,
_____.

**PRESIDING JUDGE
323RD FAMILY DISTRICT COURT
TARRANT COUNTY, TEXAS**

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further order of this Court. This Court retains discretion to require or to excuse registration at any time during the treatment program or on its successful or unsuccessful completion.

SIGNED and **ENTERED** this the _____ day of _____, _____.

PRESIDING JUDGE
323RD FAMILY DISTRICT COURT
TARRANT COUNTY, TEXAS

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Respondent and the Respondent's family that would result from public registration under Chapter 62 of the Texas Code of Criminal Procedure.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Respondent shall register as a sex offender under Chapter 62 of the Texas Code of Criminal Procedure; however, said registration shall be made **nonpublic**.

SIGNED and **ENTERED** this the ____ day of _____, _____.

**PRESIDING JUDGE
323RD FAMILY DISTRICT COURT
TARRANT COUNTY, TEXAS**

NO. _____

IN THE MATTER OF	{}	IN THE 323RD DISTRICT COURT
	{}	OF
_____	{}	TARRANT COUNTY, TEXAS
DOB _____		

SEX OFFENDER REGISTRATION ORDER
(REGISTRATION EXCUSED)

On this the ____ day of _____, 200__, in this court sitting as a Juvenile Court, came on to be heard Respondent’s Motion requesting that sex offender registration be excused, made nonpublic or deferred.

After due notice had been served on all parties, came and appeared _____, Respondent and his/her Attorney and parent as well as a representative of the District Attorney’s office or waiver of appearance is on file. All parties announced ready; and thereupon the Court, after hearing the pleadings of all parties and hearing the evidence and argument of counsel, makes the following finding:

- 7) The interests of the public do not require registration under Chapter 62 of the Texas Code of Criminal Procedure; and
- 8) The protection of the public would not be increased by registration of the Respondent under Chapter 62 of the Texas Code of Criminal Procedure; or
- 9) Any potential increase in protection of the public resulting from registration is clearly outweighed by any anticipated substantial harm to the Respondent and

the Respondent's family that would result from registration under Chapter 62 of the Texas Code of Criminal Procedure.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Respondent shall be **excused** from all registration that would otherwise be required under Chapter 62 of the Texas Code of Criminal Procedure as a result of any adjudication in this cause.

SIGNED and **ENTERED** this the ____ day of _____, _____.

**PRESIDING JUDGE
323RD FAMILY DISTRICT COURT
TARRANT COUNTY, TEXAS**

family that would result from registration under Chapter 62 of the Texas Code of Criminal Procedure.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Respondent shall be **excused** from all registration that would otherwise be required under Chapter 62 of the Texas Code of Criminal Procedure as a result of any adjudication in this cause.

IT IS FURTHER ORDERED that the Clerk of this Court send a copy of this order to each of the agencies and organizations listed in Exhibit "A", attached hereto and incorporated herein for all intents and purposes.

IT IS FURTHER ORDERED that each of the agencies and organizations listed in Exhibit "A" shall conform its records to this order by **deleting sex offender registration information ONLY**, on or before the 30th day after the date of the entry of this order.

Failure to comply with this order during the above-stated time period automatically bars a private agency or organization from obtaining sex offender registration information from any state, county, or local governmental entity in this state in the future.

Nothing in this order shall be construed as to allow deletion or destruction of the criminal record of Respondent, which is kept by law enforcement agencies for purposes other than sex offender registration.

SIGNED and **ENTERED** this the _____ day of _____, _____.

**PRESIDING JUDGE
323RD FAMILY DISTRICT COURT
TARRANT COUNTY, TEXAS**

NO. _____

IN THE MATTER OF	{}	IN THE 323RD DISTRICT COURT
	{}	OF
_____	{}	TARRANT COUNTY, TEXAS
DOB _____		

SEX OFFENDER REGISTRATION ORDER
(RETROACTIVE NONPUBLIC REGISTRATION)

On this the ____ day of _____, _____, in this court sitting as a Juvenile Court, came on to be heard Respondent’s Motion requesting that sex offender registration be excused or made nonpublic.

After due notice had been served on all parties, came and appeared _____, Respondent and his/her Attorney and parent as well as a representative of the District Attorney’s office or waiver of appearance is on file. All parties announced ready; and thereupon the Court, after hearing the pleadings of all parties and hearing the evidence and argument of counsel, makes the following finding:

- 1) Respondent has registered as a sex offender for an adjudication of delinquent conduct, and
- 2) A previous motion under Article 62.13 of the Texas Code of Criminal Procedure has not been filed concerning this case, and
- 3) The interests of the public do not require public registration under Chapter 62 of the Texas Code of Criminal Procedure, and
- 4) The protection of the public would not be increased by public registration of the Respondent under Chapter 62 of the Texas Code of Criminal Procedure, or

- 5) Any potential increase in protection of the public resulting from public registration is clearly outweighed by any anticipated substantial harm to the Respondent and the Respondent's family

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that would result from public registration under Chapter 62 of the Texas Code of Criminal Procedure.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Respondent shall continue to register as a sex offender under Chapter 62 of the Texas Code of Criminal Procedure; however, said registration shall be made **nonpublic**. Respondent's sex offender registration information is not public information and is restricted to use by law enforcement and criminal justice agencies. Said information may not be posted on the Internet or released to the public.

IT IS FURTHER ORDERED that the Clerk of this Court send a copy of this order to each of the agencies and organizations listed in Exhibit "A", attached hereto and incorporated herein for all intents and purposes.

IT IS FURTHER ORDERED that each of the agencies and organizations listed in Exhibit "A" shall conform its records to this order by **changing sex offender registration information ONLY**, to nonpublic on or before the 30th day after the date of the entry of this order. Each **private** agency is **ORDERED** to delete or destroy all sex offender registration information regarding the respondent.

Failure to comply with this order during the above-stated time period automatically bars a private agency or organization from obtaining sex offender registration information from any state, county, or local governmental entity in this state in the future.

SIGNED and **ENTERED** this the _____ day of _____, _____.

**PRESIDING JUDGE
323RD FAMILY DISTRICT COURT
TARRANT COUNTY, TEXAS**

3) Any potential increase in protection of the public resulting from registration is **not** clearly outweighed by any anticipated substantial harm to the Respondent and the Respondent's family that would result from registration under Chapter 62 of the Texas Code of Criminal Procedure.

The State requests the Court to exercise its discretion and enter a judgment ordering Respondent to register as a sex offender pursuant to all of the requirements of Chapter 62 of the Texas Code of Criminal Procedure.

WHEREFORE PREMISES CONSIDERED, the State prays for the relief requested herein.

Respectfully submitted,
TIM CURRY
CRIMINAL DISTRICT ATTORNEY
TARRANT COUNTY, TEXAS

_____, Assistant
Criminal District Attorney
401 W. Belknap
Fort Worth, Texas 76196
Tarrant County, Texas
817-838-4613
817-838-4616 fax
Bar Card No. _____

CERTIFICATE OF SERVICE

I, _____, do hereby certify that a true and correct copy of the foregoing State's Motion to Require Sex Offender Registration was hand-delivered/faxed/mailed to _____, attorney of record for Respondent, on the _____ day of _____, 200__.

3) The protection of the public would be increased by registration of the Respondent

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under Chapter 62 of the Texas Code of Criminal Procedure; and

4) Any potential increase in protection of the public resulting from registration is **not** clearly outweighed by any anticipated substantial harm to the Respondent and the Respondent's family that would result from registration under Chapter 62 of the Texas Code of Criminal Procedure.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Respondent's Motion requesting that sex offender registration be excused, or made nonpublic be and is hereby **DENIED**. Respondent is **ORDERED** to register as a sex offender as required by Chapter 62 of the Texas Code of Criminal Procedure.

SIGNED and **ENTERED** this the ____ day of _____,
_____.

**PRESIDING JUDGE
323RD FAMILY DISTRICT COURT
TARRANT COUNTY, TEXAS**

Motion to Excuse Sex Offender Registration was hand-delivered to Assistant District
Attorney, _____, on the _____ day of
_____, _____.

Form Created on September 6, 2001

Attorney for Respondent

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