

NO. _____

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

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 protection of the public would be increased by registration of the Respondent under Chapter 62 of the Texas Code of Criminal Procedure; and
- 2) 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

APPROVED AS TO FORM:

_____,
Attorney for the Respondent
Bar Card No. _____

_____, Assistant
Criminal District Attorney
Bar Card No. _____

NO. _____

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

 DOB _____
 SS# _____

**ORDER EXCUSING SEX OFFENDER REGISTRATION
(UNREGISTRATION)**

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:

- 3) 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
- 4) 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 sex offender 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

APPROVED AS TO FORM:

_____,
Attorney for the Respondent
Bar Card No. _____

_____, Assistant
Criminal District Attorney
Bar Card No. _____

NO. _____

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

ORDER EXCUSING SEX OFFENDER REGISTRATION
(DEREGISTRATION)

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 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 protection of the public would not be increased by registration of the Respondent under Chapter 62 of the Texas Code of Criminal Procedure, or

- 4) 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.

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.

Nothing in this order shall be construed as to allow deletion or destruction of information kept by schools pursuant to Article 15.27 Texas Code of Criminal Procedure.

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

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

APPROVED AS TO FORM:

_____,
Attorney for the Respondent
Bar Card No. _____

Barbara Griffin, Assistant
Criminal District Attorney
Bar Card No. 13895815

NO. _____

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

 DOB _____
 SS# _____

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 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
- 4) 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 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 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 information kept by schools pursuant to Article 15.27 Texas Code of Criminal Procedure.

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

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

APPROVED AS TO FORM:

_____,
Attorney for the Respondent
Bar Card No. _____

_____, Assistant
Criminal District Attorney
Bar Card No. _____

NO. _____

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

ORDER EXCUSING PUBLIC REGISTRATION
(NONPUBLIC 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 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:

- 5) 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
- 6) 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 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**.

Nothing in this order shall be construed as to allow deletion or destruction of information kept by schools pursuant to Article 15.27 Texas Code of Criminal Procedure.

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

PRESIDING JUDGE
323RD FAMILY DISTRICT COURT
TARRANT COUNTY, TEXAS

APPROVED AS TO FORM:

Attorney for the Respondent
Bar Card No. _____

_____, Assistant
Criminal District Attorney
Bar Card No. _____

NO. _____

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

 DOB _____
 SS# _____

ORDER DEFERRING SEX OFFENDER 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 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 arguments of counsel, makes the following findings:

The interests of the public require that a decision on the issue of whether Respondent should be required to register as a sex offender pursuant to Chapter 62 of the Texas Code of Criminal Procedure be DEFERRED until Respondent has completed a sex offender treatment program as a condition of probation or while committed to the Texas Youth Commission.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Respondent **shall not register** as a sex offender pursuant to Chapter 62 of the Texas Code of Criminal Procedure until 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

APPROVED AS TO FORM:

_____,
Attorney for the Respondent
Bar Card No. _____

_____, Assistant
Criminal District Attorney
Bar Card No. _____

NO. _____

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

STATE’S MOTION TO ENTER JUDGMENT AFTER DEFERRAL ORDER

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES the State of Texas by and through her Criminal District Attorney and files this State’s Motion to Enter Judgment After Deferral Order and requests the Court to exercise its discretion and enter a judgment requiring Respondent to register as a sex offender, as required by law.

In support thereof, the state would show that Respondent has been adjudicated of delinquent conduct for an offense that requires sex offender registration. Thereafter, Respondent filed a motion requesting that said registration be excused, made nonpublic or be deferred. This Court chose to defer a decision on the matter of sex offender registration, pursuant to Article 62.13(j) of the Texas Code of Criminal Procedure.

Further the State would show the following:

- 1) 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.

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__.

_____, 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 _____
 SS# _____

SEX OFFENDER REGISTRATION ORDER AFTER DEFERRAL 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 the State’s Motion to Enter Judgment After Deferral Order. This Court had previously heard Respondent’s Motion requesting that sex offender registration be excused, made nonpublic or deferred, and entered an Order deferring sex offender registration pursuant to Article 62.13(j) of the Texas Code of Criminal Procedure.

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) State’s Motion to Enter Judgment After Deferral Order is **GRANTED**, 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

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

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. _____

CERTIFICATE OF SERVICE

I, _____, do hereby certify that a true and correct copy of the foregoing 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

CAUSE NUMBER _____

IN THE MATTER) (IN THE 323RD JUDICIAL
OF) (DISTRICT COURT OF
_____) (TARRANT COUNTY, TEXAS

MOTION TO EXCUSE SEX OFFENDER REGISTRATION RETROACTIVELY

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES _____, the respondent in the above styled and numbered cause, who files this Motion to Excuse Sex Offender Registration Retroactively pursuant to Texas Code of Criminal Procedure Article 62.13, and in support thereof would show the court as follows:

I.

Respondent's date of birth is _____, and he/she is currently ____ years of age. Respondent was adjudicated delinquent on the ____ day of _____, _____ for the offense of _____ which is covered under the sex offender registration laws by Article 62.01 of the Texas Code of Criminal Procedure.

II.

Respondent has registered as a sex offender for said adjudication of delinquent conduct as required by law.

III.

A previous motion has not been filed under Article 62.13 of the Texas Code of Criminal Procedure.

IV.

Those public and private agencies and organizations that possess sex offender registration information about this case are listed in Exhibit “A” and incorporated herein for all intents and purposes.

V.

Respondent is a suitable candidate for an order of this court excusing registration as a sex offender for the following reasons:

- (1) The protection of the public would not be increased by registration of the respondent as a sex offender, or
- (2) Any potential increase in protection of the public resulting from registration is clearly outweighed by the anticipated substantial harm to the respondent and the respondent’s family that would result from registration as a sex offender.

WHEREFORE, PREMISES CONSIDERED, Respondent requests a hearing on this motion and prays that this court excuse sex offender registration as authorized by Article 62.13 of the Texas Code of Criminal Procedure, or for such other relief authorized by law.

Respectfully submitted,

Attorney for Respondent
Bar Card No. _____

ORDER SETTING HEARING DATE

The above motion is set for hearing on the _____ day of _____, _____
at _____ o'clock __.m. in the 323rd District Court at 2701 Kimbo Road, Fort Worth, Texas.

Presiding Judge

CERTIFICATE OF SERVICE

I, _____ do hereby certify that a true and correct copy of the
forgoing Motion to Excuse Sex Offender Registration Retroactively was mailed/faxed/hand
delivered to Barbara Griffin, the prosecuting attorney, on the _____ day of
_____, _____.

Attorney for the Respondent

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. _____

The following list of References was obtained from a publication of OJJDP titled “Juveniles Who Have Sexually Offended” which was published in March 2001 and authored by Sue Righthand and Carlann Webb.

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