

\_\_\_\_\_  
(Your full name)

\_\_\_\_\_  
(Your mailing address)

\_\_\_\_\_  
(Your telephone number)

MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT,  
(number of district in which your county is located)  
\_\_\_\_\_ COUNTY  
(name of your county)

<p>_____ (Your full name) Petitioner,</p> <p>v.</p> <p>State of Montana, Respondent.</p>	<p>Cause No. _____</p> <p><b>PETITION TO RELIEVE VIOLENT OFFENDER OF THE DUTY TO REGISTER</b></p>
--	---

\_\_\_\_\_ petitions this Court to enter an order relieving  
(Your full name)  
him / her of the duty to register pursuant to Mont. Code Ann. § 46-23-506(3)(a) on the  
(circle one)  
basis that:

I am a violent offender and was confined after sentencing. I have been registered for at least 10 years after release from confinement.

I am a violent offender and was not confined following sentencing. It has been at least 10 years since the conclusion of the sentencing hearing:

During the 10-year period of registration I have been convicted of (indicate any which apply):

\_\_\_\_\_ Failure to Register;

\_\_\_\_\_ Failure to Keep Registration Current; and/or

\_\_\_\_\_ a Felony offense.

**PROCEDURAL AND FACTUAL HISTORY**

The following factual and procedural history is offered in support of this petition:

*Petitioner's Name:* \_\_\_\_\_

*Petitioner's Date of Birth:* \_\_\_\_\_

*Crime(s) for which Petitioner is registered as a Violent Offender:*

\_\_\_\_\_  
\_\_\_\_\_

*Date of Conviction:* \_\_\_\_\_

*Date of Sentencing:* \_\_\_\_\_

*Sentencing Judge:* \_\_\_\_\_

*Date First Registered as Violent Offender:* \_\_\_\_\_

*Other:* \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

*[ ] I have attached the written Judgment wherein I am designated as a Violent Offender.*

*[ ] I have also attached the following:* \_\_\_\_\_

\_\_\_\_\_

**APPLICABLE LEGAL AUTHORITY – MANDATORY RELEASE – No Hearing**

Montana Code Annotated § 46-23-506(2)(a) provides:

“An offender required to register for 10 years under subsection (2)(a) may, after the 10 years have passed, petition the sentencing court or the district court for the judicial district in which the offender resides for an order relieving the offender of the duty to register. The petition must be served on the county attorney in the county where the petition is filed. The petition **must be granted if the defendant has not been convicted under subsection (2)(b).”**

**CONCLUSION**

I \_\_\_\_\_ hereby certify that in the period of my registration as a violent  
(Your full name)  
offender, I was not convicted of failing to register, failing to keep registration current, or of a  
felony. Under Montana Code Annotated § 46-23-506(2)(a), I ask the Court to grant the  
Petitioner relief from further registration as a violent offender.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Petitioner Signature)

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and correct copy of the foregoing Petition to Relieve  
Violent Offender from the Duty to Register to be mailed, first class postage prepaid, to:

\_\_\_\_\_  
(County Attorney in the County where Petition is Filed)

Dated: \_\_\_\_\_

\_\_\_\_\_  
(Petitioner/Violent Offender)

**(If petitioning under the above section, the remainder of the form is not required.)**

**APPLICABLE LEGAL AUTHORITY –DISCRETIONARY RELEASE –**

**Hearing Required**

“If convicted during the 10-year period provided in subsection (2)(a) of failing to register or keep registration current or of a felony, [the offender must register] for the remainder of the offender's life unless relieved of the duty to register as provided in subsection (3)(b).”

Under subsection 3(b), the Court **may** grant the petition “upon finding:

- (i) the offender has remained a law-abiding citizen; and
- (ii) continued registration is not necessary for public protection and that relief from registration is in the best interests of society.”

**ARGUMENT**

The Petitioner requests that this Court find that he/she is a law abiding citizen because:

---

---

---

---

The Petitioner requests that this Court find that continued registration is not necessary for public protection and that relief from registration is in the best interests of society because:

---

---

---

---

Pursuant to Mont. Code Ann. § 46-23-506(4), Petitioner moves that all or part of the proceedings in a hearing for this matter be closed to the public for the following reason(s):

*(Complete if applicable)*

---

-----

**CONCLUSION**

\_\_\_\_\_ requests that this Court hold a hearing on this matter,  
(Your full name)  
find that the Petitioner has remained a law-abiding citizen, find that continued  
registration is not necessary for public protection and that relief from registration is in the  
best interests of society, and grant the Petitioner relief from further registration as a Violent  
Offender.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Petitioner Signature)

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and correct copy of the foregoing Petition to Relieve  
Violent Offender from the Duty to Register to be mailed, first class postage prepaid, to:

\_\_\_\_\_  
(County Attorney in the County where Petition is Filed)

Dated: \_\_\_\_\_

\_\_\_\_\_  
(Petitioner/Violent Offender)