

STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice
Superior Court Division

_____ County

IN THE MATTER OF

Name And Current Mailing Address Of Petitioner

**PETITION FOR TERMINATION OR
MODIFICATION OF SATELLITE-BASED
MONITORING UNDER G.S. 14-208.46**

G.S. 14-208.46

Name And Address Of Petitioner's Attorney

Petitioner's Telephone No.

Race

Sex

Date Of Birth

Sex Offender And Public Protection Registry No.

Attorney's Telephone No.

NOTE TO PETITIONER: Use this form for a petition to terminate or modify satellite-based monitoring (SBM) under G.S. 14-208.46, when SBM was imposed before December 1, 2021, pursuant to G.S. 14-208.40A or 14-208.40B, for a period longer than ten (10) years. This petition must be filed in the county of the conviction that resulted in the imposition of SBM. For petitions under G.S. 14-208.43 to terminate or modify SBM imposed on or after December 1, 2021, use form AOC-CR-257.

PETITION

The Petitioner named above hereby petitions the Court pursuant to G.S. 14-208.46 to terminate or modify the requirement to enroll in satellite-based monitoring (SBM) as imposed in the order identified below, and in support of this petition, states the following:

1. Petitioner was ordered to enroll in SBM for a period longer than ten (10) years in the above-captioned county and file number pursuant to the following order:

Date Of Order	Title Of Order	<input type="checkbox"/> Form AOC-CR-615 <input type="checkbox"/> Form AOC-CR-616	Name Of Judge
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2. Petitioner has been enrolled in SBM pursuant to the order cited above since (date) _____.

Date	Name (type or print)	Signature	<input type="checkbox"/> Petitioner <input type="checkbox"/> Petitioner's Attorney
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this Petition was served on the date below upon the District Attorney for the above-captioned county by:

- hand delivery to (name) _____.
- leaving a copy with an employee of the District Attorney.

Name Of Person With Whom Copy Left (type or print)

- by depositing a copy in a post-paid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to the District Attorney's office.
- by email to the District Attorney at _____ (email address).

NOTE: Service by email upon counsel must be to an email address of record with the court. Service by email upon a party is permitted only if the party has consented to receive email service at a particular address, and that consent is filed with the court. Service by email sent after 5:00 PM Eastern Time on a regular business day will be deemed sent on the next business day.

- by telefacsimile (fax) to the District Attorney's office at _____ (fax number), as evidenced by fax receipt confirmation, attached. **NOTE:** Service by fax received after 5:00 PM Eastern Time on a regular business day will be deemed completed on the next business day.
- acceptance of service.

Date Service Accepted	Name Of Person Accepting Service (type or print)	Signature	Title
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Date	Name Of Person Serving (type or print)	Signature Of Person Serving	<input type="checkbox"/> Petitioner <input type="checkbox"/> Petitioner's Attorney <input type="checkbox"/> Other: _____
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NOTE TO CLERK: No hearing may be held on this matter until at least three (3) weeks after notice to the District Attorney.

NOTE TO DISTRICT ATTORNEY: With regard to the rights of the victim in this matter, and the notice obligations of the Office of the District Attorney, see G.S. 14-208.46(c).

(Over)

DISTRICT ATTORNEY PRESENT AT HEARING

The Office of the District Attorney was represented in the matter by *(name)* _____.

FINDINGS

After a hearing on this petition, the Court finds the following:

- 1. Petitioner was ordered to enroll in SBM in the above-captioned county and file number pursuant to the order cited in the petition on Side One.
- 2. Petitioner served this petition on the Office of the District Attorney at least three (3) weeks prior to the hearing.
- 3. The Court inquired at the hearing as to whether any victim was present and wished to be heard, and *(check one)* the Court granted the victim an opportunity to be reasonably heard. the victim either was not present or was present but did not wish to be heard.
- 4. Petitioner has been enrolled in SBM pursuant to the order cited above for
 - a. fewer than 10 years.
 - b. more than 10 years.

ORDER

Based on the foregoing findings, the Court hereby ORDERS:

- 1. *(if FINDINGS Nos. 1-3 and 4.a. found)* Petitioner shall remain enrolled in SBM for the remainder of the modified period of 10 years.
- 2. *(if FINDINGS Nos. 1-3 and 4.b. found)* Petitioner's enrollment in SBM is hereby terminated.
- 3. *(if Petitioner ineligible for modification or termination under G.S. 14-208.46)* The petition is hereby denied, because:
_____.

<i>Date</i>	<i>Name Of Judge (type or print)</i>	<i>Signature Of Judge</i>
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Original-File Copy-Defendant's Attorney or Defendant Certified Copy (if granted) - Post-Release Supervision and Parole Commission