

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

State of Wisconsin, Plaintiff

Amended

-VS-

**Order Concerning Sentence Adjustment
§973.195, Wis. Stats.**

Defendant's Name

Case No. _____

Date of Birth

Count No. _____

A Petition for Sentence Adjustment was filed with the court.

THE COURT FINDS:

1. The inmate has has not previously petitioned for sentence adjustment under §973.195, Wis. Stats., for this sentence.
2. The inmate has has not previously petitioned for sentence adjustment within one year of filing this Petition under §973.198, Wis. Stats., for this sentence.
3. The inmate is is not serving a sentence for a Class A or Class B felony.
4. The inmate has has not served the applicable percentage of his/her confinement in prison. (85 percent for a Class C to E felony and 75 percent for a Class F to I felony)
5. District attorney notification requirements, if any, have been met.
6. Victim notification requirements, if any, have been met.

THE COURT ORDERS:

The Petition for Sentence Adjustment is

1. **denied** because
- the inmate previously petitioned for sentence adjustment under §973.195, Wis. Stats., for this sentence.
 - the inmate filed a Petition for Sentence Adjustment under §973.198, Wis. Stats., within one year of filing this Petition.
 - the inmate has not served the applicable percentage of his or her sentence.
 - there was an objection by a victim designated in §973.195(1r)(d), Wis. Stats.
 - the inmate is serving a sentence for a Class A or Class B felony.

2. after considering any relevant factors including the nature of the crime, the character of the inmate, the protection of the public, the positions of the State and of the victim and the inmate's institutional conduct, including the inmate's efforts at and progress in rehabilitation, or lack thereof, and the inmate's participation and progress, or lack thereof, in education, treatment and correctional programs;

A. **granted** because it is in the public interest and is not based on a change in law or procedure.

- The inmate's term of confinement in prison and term of extended supervision shall be adjusted pursuant to §973.195(1r)(g), Wis. Stats.
- The Department of Corrections shall effectuate this change from confinement to extended supervision within 30 days from the date of this Order and change the remaining confinement time to extended supervision time.
- The overall length of the bifurcated sentence is not changed.

OR

B. **granted** because it is in the public interest and because it is based, at least in part, on a change in law or procedure related to sentencing or revocation of extended supervision effective after the inmate was sentenced that would have resulted in a shorter term of confinement in prison or, if the inmate was returned to prison upon revocation of extended supervision, a shorter period of confinement in prison upon revocation.

- The inmate's term of confinement in prison and term of extended supervision shall be adjusted pursuant to §973.195(1r)(g), Wis. Stats.
- The inmate's term of extended supervision:
 - shall not be adjusted. The overall length of the bifurcated sentence is not changed.
 - shall be adjusted, pursuant to §973.195(1r)(h), Wis. Stats., by a reduction of ___ years, ___ months. The overall length of the bifurcated sentence is reduced by this amount.
- The Department of Corrections shall effectuate the change(s) within 30 days from the date of this Order.

OR

C. **denied** because it is not in the public interest.

3. Other: _____

4. Written reasons are attached.

THIS IS A FINAL ORDER FOR THE PURPOSE OF APPEAL.

DISTRIBUTION:

1. Court
2. Inmate/Attorney
3. District Attorney
4. Victim(s)
5. Institution