

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

Amended

State of Wisconsin
-vs-

**Order Concerning Sentence
Modification
§302.113(9g)
(Geriatric/Extraordinary Health
Condition)**

_____, Defendant
Name

Date of Birth

Case No. _____

A petition to modify the bifurcated sentence was referred to the sentencing court by the Department of Corrections. A hearing was held on (Date) _____.

THE COURT FINDS:

- 1. Notice requirements have been met.
- 2. The inmate is not serving a sentence for a Class A or B felony.
- 3. The inmate is is not eligible under §302.113(9g)(i), Wis. Stats.
- 4. A. The inmate meets one of the following criteria under §302.113(9g)(b), Wis. Stats:
 - is 65 years of age or older and has served at least 5 years of the term of confinement in prison.
 - is 60 years of age or older and has served at least 10 years of the term of confinement in prison.
 - has a documented extraordinary health condition.

OR

 B. The inmate does not meet any of the above criteria.
- 5. The inmate has has not met the burden of proving by the greater weight of the credible evidence that a modification of the bifurcated sentence would serve the public interest.

THE COURT ORDERS:

The petition for sentence modification is

- 1. **granted** because it would serve the public interest.
 - The inmate’s term of confinement in prison and term of extended supervision shall be adjusted pursuant to §302.113(9g)(f), 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 total length of the inmate’s bifurcated sentence is not changed.
- 2. **denied** because
 - the inmate is not eligible under §302.113(9g)(i), Wis. Stats.
 - the inmate does not meet any of the criteria under §302.113(9g)(b), Wis. Stats.
 - it is not in the public interest.

THIS IS A FINAL ORDER FOR PURPOSES OF APPEAL.

BY THE COURT:

DISTRIBUTION:

- 1. Court – Original
- 2. Department of Corrections
- 3. Inmate/Attorney
- 4. District Attorney

Circuit Court Judge

Name Printed or Typed

Date