

FILED
FT. SMITH DIST.
2018 AUG 16 AM 10 56
CIR. CLERK SEB. CO.

IN THE CIRCUIT COURT OF SEBASTIAN COUNTY, ARKANSAS
CRIMINAL DIVISION

STATE OF ARKANSAS

PLAINTIFF

VS.

CASE NO. CR99-213

BARRY A. WALKER

DEFENDANT

PETITION TO BE REMOVED
FROM SEX OFFENDER REGISTRY

Defendant moves the Court pursuant to Ark. Code Ann. §12-12-919(b) for removal from the sex offender registry, and he states as follows:

I.

Defendant pleaded no contest in this case on March 9, 2000, to First Degree Sexual Abuse and was sentenced to five (5) years in the Arkansas Department of Corrections.

II.

Defendant completed his sentence on March 8, 2005 without any incident.

III.

Defendant was assessed as a level 1 sex offender in 2001. He has not been re-assessed since.

IV.

Defendant has never been found to be anything but a level 1 sex offender. See §12-12-919(a)(2).

V.

It has been more than 15 years since Defendant was sentenced. §12-12-919(b)(1)(A)(i).

VI.

On the filing of this petition, the Court is required to hold a hearing more than 20 days later. §12-12-919(b)(1)(B)(i).

VII.

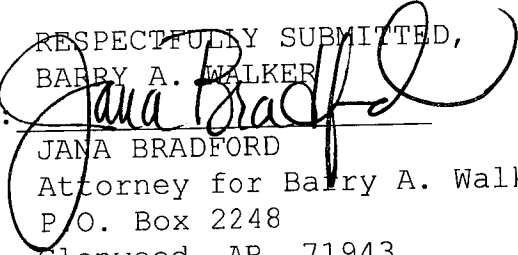
If Defendant can show by a preponderance of the evidence at this hearing that (a) it has been more than fifteen (15) years since he was released from custody and (b) he "is not likely to pose a threat to the safety of others, the court shall order Defendant removed from the sex offender registry.

VIII.

Defendant can show both elements necessary for removal from the registry.

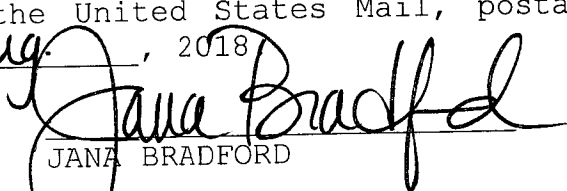
IX.

The Court should schedule a hearing so defendant can show that he "is likely not to pose a threat to the safety of others."

RESPECTFULLY SUBMITTED,
BARRY A. WALKER
By: 
JANA BRADFORD
Attorney for Barry A. Walker
P.O. Box 2248
Glenwood, AR 71943
(870) 356-3947
AR Bar No. 93045

CERTIFICATE OF SERVICE

I, JANA BRADFORD, do hereby certify that I have served a copy of the foregoing upon DANIEL SHUE, Prosecuting Attorney, at his address of Courts Building, 901 South B. St., Fort Smith, AR 72901 by placing a copy of same in the United States Mail, postage prepaid, on this 14th day of Aug., 2018.


JANA BRADFORD