

IN THE DISTRICT COURT OF THE STATE OF IOWA
IN AND FOR SCOTT COUNTY

STATE OF IOWA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	NO. FECR304328
	)	
MICHAEL J. CROSS, f/k/a,	)	
MICHAEL J. BYARS,	)	
	)	
Defendant.	)	
	)	

ORDER

NOW on this day, this matter having come on before the Court for a hearing on the Application to Modify Sex Offender Registration Requirements filed herein by the Defendant on July 21, 2017, the Defendant, Michael J. Cross, personally appearing in open Court and with his attorney, C. Stephan Marsh, and the Scott County Attorney's Office also being present by Assistant Scott County Attorney, Julie A. Walton, and the Court now having reviewed the Exhibits admitted into evidence, having reviewed the applicable Statute, and having heard the statements of Counsel, FINDS AS FOLLOWS:

1. That the Defendant's Application is subject to and governed by the provisions of Iowa Code, Chapter 692A.128.
2. That as required by statute, the Scott County Attorney, the Seventh Judicial District Department of Correctional Services, and the Iowa Department of Public Safety were all served with copies of Defendant's Application and were all served with proper Notice of these proceedings this date.
3. That pursuant to 692A.128(4), the County Attorney made reasonable efforts to notify the Victim of this Application, but was unable to locate the Victim.
4. That the Exhibit filed by the Defendant at the time he filed his Application on July 21, 2017 indicates that the Seventh Judicial District Department of Correctional Services, the Defendant having completed all required treatment and having been assessed as a low risk to reoffend, does not object to and stipulates to Defendants request to terminate his Registry Requirements as requested in the Application.

5. That the Defendant herein has been subject to the Sex Offender Registry Requirements since 2009.

6. That at the time the Defendant filed his Application herein and at the present time, the Defendant is not under the supervision of any Juvenile Court or any Judicial District Department of Correctional Services.

7. That the date of the commencement of the requirement for the Defendant to register occurred at least two (2) years prior to the filing of his Application herein.

8. That the Defendant was not incarcerated at the time of the filing of his Application.

9. That as is set forth in the Exhibit filed by the Defendant with his Application, the Defendant has completed all required treatment, and has been assessed as a low risk to reoffend.

10. The Sex Offender Risk Assessment finding Defendant to be low risk to reoffend has been introduced into Evidence.

11. That the Defendant is a resident of Davenport, Scott County, Iowa, and thus his Application was filed in his County of principal residence.

12. That the Court is not aware of any problems which have occurred involving the Defendant since his Application was filed.

13. That the Court finds that all requirements of Iowa Code Chapter 692A.128 have been met, including the requirements of 692A.128(6).

14. That the Court finds that good cause exists for amending the Sex Offender Registration Requirements previously imposed upon the Defendant, and that an Order should be entered herein as follows:

1. That the Defendant's Application to Modify Sex Offender Registration Requirements filed herein on July 21, 2017 be and is hereby granted, and the Sex Offender Registration Requirement previously imposed upon the Defendant are hereby modified in that any further obligation on the part of the Defendant to meet the Sex Offender Registration Requirements or to register as a Sex Offender be and the same are hereby dropped and terminated.

2. That pursuant to Iowa Code Chapter 692A.128(7), the Clerk of the District Court shall send copies of this Order to the Department of Public Safety, the Sheriff of Scott County, the Scott County Attorney's Office, and to the Victim if the Victim's address is known.

3. That cost, if any, are assessed to the Defendant.

IT IS SO ORDERED.



State of Iowa Courts

Type: OTHER ORDER

Case Number	Case Title
FECR304328	STATE VS BYARS, MICHAEL J

So Ordered

A handwritten signature in black ink, appearing to read "Mark R. Lawson", is written over a horizontal line.

Mark R. Lawson, District Court Judge,
Seventh Judicial District of Iowa