HOUSE DOCKET, NO. FILED ON: 1/14/2009

**HOUSE . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

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PRESENTED BY:

**James H. Fagan**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General
 Court assembled:*

 The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Relative to Certain Criminal Sentences.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| James H. Fagan | 3rd Bristol |

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1400 OF 2007-2008.]

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act Relative to Certain Criminal Sentences.

 *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1.  Chapter 279 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after section 4B the following section:—
Section 4C. The trial judge, in a district or superior court, upon his own motion or the written motion of a defendant filed within twenty-four months after the imposition of the sentence, within twenty-four months after receipt by the trial court of a rescript issued upon affirmance of the judgment or dismissal of the appeal, or within twenty-four months after entry of any order or judgment of an appellate court denying review of, or having the effect of upholding a judgment of conviction, may, upon such terms and conditions as he shall order, revise or revoke such sentence if it appears that justice may not have been done.