

HOUSE No. 1400

By Mr. Fagan of Taunton, petition of James H. Fagan relative to the revision or revocation of certain criminal sentences. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE REVISION OR REVOCATION OF 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:

1 Chapter 279 of the General Laws, as appearing in the 2004
2 Official Edition, is hereby amended by inserting after section 4B the
3 following section:—
4 Section 4C. The trial judge, in a district or superior court, upon
5 his own motion or the written motion of a defendant filed within
6 twenty-four months after the imposition of the sentence, within
7 twenty-four months after receipt by the trial court of a rescript issued
8 upon affirmance of the judgment or dismissal of the appeal, or
9 within twenty-four months after entry of any order or judgment of an
10 appellate court denying review of, or having the effect of upholding
11 a judgment of conviction, may, upon such terms and conditions as he
12 shall order, revise or revoke such sentence if it appears that justice
13 may not have been done.