

SENATE No. 961

By Mr. McCarthy, a petition (accompanied by bill, Senate, No. 961) of Robert E. McCarthy for legislation to amend the district court sentencing procedure. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT AMENDING DISTRICT COURT SENTENCING PROCEDURE.

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 278 is hereby amended by striking out section 29A
2 and inserting in place thereof, the following section: —

3 *Section 29A. Sentence Imposed By A District Court; Re-*
4 *vision Or Revocation.*

5 Any District Court may at any time after a sentence is
6 imposed, upon motion to the Court, if it appears to the Court
7 that substantial justice would best be served, and upon such
8 terms or conditions as the Court shall order, revise or revoke
9 a sentence which has been imposed, and in the event of revoca-
10 tion, permit the withdrawal of the plea upon which the sen-
11 tence was imposed

12 The provisions of this section shall not apply to any case
13 which is appealed nor in which under section twenty-five, an
14 appeal is withdrawn.

