

COMMONWEALTH OF MASSACHUSETTS  
SEX OFFENDER REGISTRY BOARD

Case No. 21900

COPY

BENJAMIN LAGUER,  
Petitioner

v.

SEX OFFENDER REGISTRY BOARD,  
Respondent

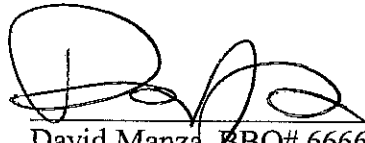
**MOTION TO CONTINUE HEARING**

Now comes Petitioner, through counsel, and moves the hearing examiner to continue the hearing in this matter, currently scheduled for September 17, 2015 via videoconference at NCCI-Gardner in Gardner, Massachusetts. At this time, the Petitioner is requesting a five year continuance as parole was recently denied and his next hearing will not take place for another five years.

As grounds, the Counsel for the Petitioner states the following:

1. The Petitioner is currently serving a life sentence at NCCI-Gardner. On April 23, 2015, he appeared before the Parole Board for a hearing on whether he would be granted parole. On July 1, 2015, the Parole Board denied his request for parole and set the matter for a rehearing five years from the date of his hearing. *See attached Exhibit A.*
2. Due to the recent denial of parole, the Petitioner is requesting a continuance, so that his hearing may be held "at a reasonable time prior to release from incarceration" in order to reflect his current risk to reoffend and degree of dangerousness. *See Doe No. 6904 v. Sex Offender Registry Board*, 82 Mass. App. Ct. 67, 74 (2012). If he is granted parole in five years, the Board will be in a much better position to assess his current risk and danger at the time of his release into the community.
3. The Board will not be prejudiced by granting this continuance and its statutory mandate under M.G.L. c. 6, § 178C-178P of classifying sex offenders will not be frustrated. Rather, the continuance will allow the Board to spend more time classifying offenders in the community and offenders that will be released from incarceration to reside in Massachusetts in the near future.

Benjamin LaGuer,  
By his attorney:

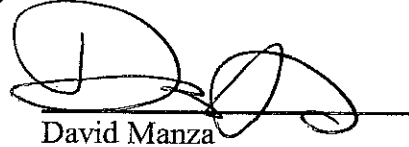


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Date: July 20, 2015

CERTIFICATE OF SERVICE

On July 20, 2015, I certify that I caused a true and exact copy of this Motion to be served via email to the Hearings Unit with a copy to counsel of record.



David Manza