STATE OF RHODE ISLAND

PROVIDENCE, SC. **SUPERIOR COURT**

(FILED: November 9, 2026)

MATTHEW SHERIDAN, ***Petitioner*,**	:	
v.	:	**C.A. No. PM-2023-05979**
STATE OF RHODE ISLAND, ***Respondent*.**	:	

DECISION

M. DARIGAN, J. Before this Court is Petitioner Matthew Sheridan's (Sheridan) appeal from a decision of a Superior Court magistrate (the Magistrate) affirming Sheridan's Level II risk classification issued by the Sex Offender Board of Review (the Board). Jurisdiction is pursuant to G.L. 1956 § 8-2-39.2(j) and Rule 2.9(h) of the Superior Court Rules of Practice. For the reasons set forth herein, the Magistrate's decision is affirmed.

I

Facts and Travel

On November 10, 2017, Sheridan was sentenced to one count of first-degree child molestation. (Hr'g Tr. 1:11-14, Jan. 28, 2026.) The charge alleged that Sheridan molested a boy (the victim) between the ages of fourteen and eighteen years old over a period of approximately four years. *Id.* at 10:22-24. Sheridan was thirty-four years old at the onset of this period. (Sex Offender Board of Review Risk Assessment Report (Board's Report) at 2.) The Board's Report recounts the victim's description of his relationship with Sheridan and the conduct underlying that conviction. (Board's Report at 2-3.) According to that account, Sheridan was a middle school science teacher and lived across the street from the victim's family. *Id.* at 2. Sheridan befriended

the victim and became a father figure to him. *Id.* The victim reported that Sheridan's inappropriate touching began after the victim completed eighth grade in 2001. *Id.* At that time, Sheridan took him to a gym called "Stone Bodies" in Cranston and tutored him on exercise techniques. *Id.* When they finished working out, Sheridan brought the victim back to his residence and gave him massages to alleviate his "muscle soreness." *Id.* Initially, Sheridan completed these massages over the victim's clothes. *Id.* Over time, Sheridan became more comfortable, progressing from pushing up his shorts and massaging his inner thighs, to accidentally brushing his penis, and eventually to touching it intentionally. *Id.* Sheridan used his fingers, calling them "tickle fingers," to touch the victim's body, while explaining to him this is how you "treat a woman." *Id.*

After the victim completed his freshman year of high school, and before his sixteenth birthday, he and Sheridan worked at a Boy Scout camp in Livingston, New York. *Id.* One night during that summer, the victim reported that Sheridan drove him to his home for an overnight stay, convincing him it made sense to stay there because they needed to wake up early the next morning to return to New York. *Id.* at 2-3. The victim agreed, slept on the floor, and was eventually awoken to find Sheridan laying perpendicular across his body, pinning his arms down, and unbuckling his pants to perform oral sex on the victim. *Id.* at 3. The victim tried to resist but Sheridan was too powerful. *Id.* This incident lasted for a few minutes until the victim eventually ejaculated. *Id.* The next day, the victim questioned Sheridan about the assault, and Sheridan told him that he did it "for his own good," so that he could have a memorable first experience. *Id.* Over the next three years, Sheridan continued to sexually assault the victim, consistently in his own home or at camp, where oral sex was performed on the victim approximately one hundred times. *Id.* Sheridan also performed oral sex using his tongue on the victim's anus numerous times. *Id.*

On another occasion, the victim disclosed to Sheridan the concerning size and appearance of his testicles. *Id.* Sheridan told him that he could help if he watched him masturbate into a petri dish. *Id.* Notably, the victim confided in his brother about this incident and his brother explained that when he was sixteen years old, he spoke to Sheridan about his concerns of having a sexually transmitted disease. *Id.* Sheridan responded that he had a friend who could help, and similarly requested him to ejaculate into a petri dish. *Id.* The victim's brother also stated that there was a second incident when he was at home showering. *Id.* at 4. At that time, the victim's brother heard Sheridan enter the bathroom and open the shower curtain while he was in the shower. *Id.* Sheridan apologized and stated that he thought it was the victim in the shower. *Id.*

The victim confronted Sheridan about the sexual assaults when he was eighteen or nineteen years old. (Hr'g Tr. 14:6-8, Jan. 28, 2026.) As a result of that encounter, the victim reported that a physical fight broke out in Sheridan's kitchen. *Id.* at 14:8-9. The victim told Sheridan that he molested and took advantage of him, and Sheridan responded by asking, "[d]o you remember how I always told you that life is a bunch of cycles[.]" *Id.* at 14:12-13. Sheridan also stated that he had been molested when he was a kid, and that is why he behaved this way toward the victim. *Id.* at 14:13-15.

Upon conviction, Sheridan was sentenced to twelve years, with three years to serve and a nine-year suspended sentence. *Id.* at 1:14-16. Sheridan participated in sex offender treatment for approximately three years. *Id.* at 21:15-18. This conviction is Sheridan's only contact with the criminal justice system. *Id.* at 15:2-4. Upon his release from prison, Sheridan continues to reside in Rhode Island. *Id.* at 15:16-17.

Pursuant to the Sexual Offender Registration and Community Notification Act (the Act), G.L. 1956 chapter 37.1 of title 11, the Board evaluated Sheridan's risk of reoffending and classified

him as a Level II or "moderate" risk of sexual recidivism. (Board's Report at 6.) Sheridan received notice of his designation by letter dated November 1, 2023. (Notice of Offender's Option Letter (Notice Letter).) Sheridan appealed the Board's Level II classification for review by the Superior Court. (Docket.)

A

The Board's Classification Decision

In its classification decision, the Board considered actuarial risk assessments and other available documentation and information, including Sheridan's criminal record, relevant police reports, Sheridan's statements during a Sex Offender Community Notification Unit (SOCNU) interview, his institutional record, and his response to treatment. (Board's Report at 1.) Three actuarial assessments were used to estimate Sheridan's risk of sexual recidivism: the Static-99R, the Static-2002R, and the Stable 2007.[1] *Id.* Sheridan was scored a "low risk" by the Stable 2007, but an "average risk" by the Static-99R and Static-2002R. *Id.*

The Board's Report outlines the factors contributing to its Level II classification decision. *Id.* at 2-6. The Board noted that Sheridan was a middle school science teacher and involved in the Boy Scouts. *Id.* at 2. It found that Sheridan was in a position of trust with the victim, who "groomed the victim for several years and established the relationship for the sole purpose of victimization." *Id.* at 4. Notably, the Board weighed the duration of the abuse, ongoing for years and opportunistic, as an aggravating factor. *Id.* The Board, however, recognized that there were no known instances of inappropriate behavior toward students or campers outside of the index offense and statements of the victim's brother as to Sheridan's inappropriate conduct with him. *Id.* at 5.

[1] "[T]he Static-99R, the Static 2002, and the Stable 2007 'are recognized as validated risk-assessment tools[.]"' *Matteson v. Rhode Island Department of Attorney General*, 266 A.3d 1237, 1240 n.1 (R.I. 2022) (quoting *DiCarlo v. State*, 212 A.3d 1191, 1193 (R.I. 2019)).

The Board also acknowledged that, through his participation in sex offender therapy, Sheridan appeared to recognize "thinking errors," *id*. at 6; however, Sheridan continued to deny that certain incidents took place. (Sex Offender Community Notification Unit Interview (SOCNU Interview) at 7.) Specifically, when asked about the incident with the victim's brother, Sheridan denied asking him to ejaculate into a petri dish in front of him. *Id.* When Sheridan was asked about his statement to the victim that he was molested, Sheridan did not remember having that conversation because "nothing has ever happened to [him]." *Id.* at 9. The Board also found it concerning how Sheridan reacted when the victim confronted him about the sexual assaults. (Hr'g Tr. 14:15-19, Jan. 28, 2026.) Considering all of the information before it, the Board concluded that Sheridan posed a Level II or "moderate" risk of sexual recidivism. (Board's Report at 1.) Sheridan appealed. (Docket.)

B

The Magistrate Affirms the Board's Classification

Sheridan was afforded the opportunity to present evidence and be heard on his argument that the Board erred in its classification decision. Sheridan submitted a memorandum and counseling records from sex offender therapy in support of his appeal, and the Magistrate held a hearing on October 28, 2025. (Hr'g Tr. 2:21-25, Jan. 28, 2026.) Sheridan's attorney argued that Sheridan's classification should be reduced to Level I because there was a "quasi-relationship" between Sheridan and the victim over the course of a few years and his engagement in sex offender counseling illustrates his progress and acknowledgment of the offense. *Id.* at 20:23-25; 21:2-5. Counsel pointed out that Sheridan is "proud of the progress he has made" and has "accepted responsibility"; further, that as of September 2025, he has been successfully discharged from sex offender treatment. *Id.* at 21:15-18; 22-23. It was also argued that, through counseling, Sheridan

was able to get to know more about himself and that he now identifies as a gay man. *Id.* at 21:23-25. According to a portion of one therapy record: "He has been out of prison for six months and has established a healthy routine within the community. He demonstrates a positive attitude and continues to reflect on his past actions, take accountability, and put forth effort to live a healthy lifestyle." *Id.* at 21:8-13. Finally, Sheridan's attorney noted that this case was Sheridan's only contact with the criminal justice system and that he did not have a single discipline during incarceration. *Id.* at 22:1-4.

On January 28, 2026, the Magistrate affirmed the Board's determination in a bench decision, and an order denying Sheridan's appeal was entered. (Docket.) The Magistrate reviewed the record that was before the Board as well as the evidence Sheridan presented at the October 28, 2025 hearing. (Hr'g Tr. 22:21-23:2, Jan. 28, 2026.) She concluded that the Board's Level II classification was justified given the facts of the offense, that Sheridan still believed there was a "quasi-relationship" between him and the victim at the time of the hearing, and the numerous incidents that took place in Rhode Island and New York while Sheridan was working for a Boy Scout camp. *Id.* at 24:10-19; 24:25-25:3. The Magistrate acknowledged what evidence was in Sheridan's favor, including his consistent employment history, education, progress in sex offender treatment, low scores on the Static-99R and Stable 2007 assessments, lack of criminal history, and strong community support. *Id.* at 23:2-15.

Ultimately, the Magistrate determined that Sheridan had not met his burden of demonstrating by a preponderance of the evidence that the Board was in error. *Id.* at 25:8-11. She cited language from the Rhode Island Supreme Court that "risk assessment is not an exact science, and a certain amount of judgment and even intuition must be exercised by both the Board of Review and the reviewing Magistrate." *Id.* at 7:10-13; *see State v. Dennis*, 29 A.3d 445, 450-51

(R.I. 2011) (quoting *State v. Germane*, 971 A.2d 555, 589 (R.I. 2009)). She observed that "the Court obviously has the same concerns that the Board initially had about the Petitioner's lengthy history as a middle school teacher, as well as working at a Boy Scout camp around the time of the Index Offense," *id.* at 24:10-14, and that the offense occurred even with Sheridan's support systems in place. *Id.* at 24:14-19. She also noted her concern that Sheridan still believed there was a "quasi-relationship" between himself and the victim at the hearing. *Id.* at 24:25-25:3. Additionally, it was concerning to the Magistrate that on Sheridan's last progress report from sex offender counseling dated September 2025, the counselor noted a concern of "[i]nvolvement with [c]hildren" under the heading "[w]hat behaviors might supervision or law enforcement officers be concerned about that might signal that the participant is getting more likely to re-offend." *Id.* at 24:1-8.

On February 5, 2026, Sheridan timely appealed the Magistrate's order to this Court. (Docket.) The parties filed supplemental memoranda in support of their respective positions on appeal, but declined to present witnesses at an evidentiary hearing or oral argument. With the parties resting on the record and their filings, this appeal is ripe for decision.

II

Standard of Review

A

Review of the Board's Classification

The Act governs sex offender registration, classification, and this Court's review thereof. If any person having a duty to register as a sex offender is not incarcerated, then "the agency having supervisory responsibility . . . shall refer the person to the sex offender board of review, together with any reports and documentation that may be helpful to the board, for a determination as to the

level of risk an offender poses to the community . . .” Section 11-37.1-6(1)(c). Upon referral, the Board “shall . . . conduct the validated risk assessment, review other material provided by the agency having supervisory responsibility and assign a risk of re-offense level to the offender.” Section 11-37.1-6(2)(i). If a person objects to their classification level issued by the Board, then they may request a hearing in Superior Court pursuant to § 11-37.1-14.

Regarding the hearing, § 11-37.1-16 provides,

> “(a) In any proceeding under this chapter, the state shall have the burden of going forward, which burden shall be satisfied by the presentation of a prima facie case that justifies the proposed level of and manner of notification.
>
> “(b) For purposes of this section, “prima facie case” means:
>
> > “(1) The sex offender board of review has engaged in a review and assessment of risk using materials approved by the parole board as provided by 11-37.1-6;
> >
> > “(2) Reasonable means have been used to collect the information used in the review and assessment.
>
> “(c) Upon presentation of a prima facie case, the court shall affirm the determination of the level and nature of the community notification, unless it is persuaded by a preponderance of the evidence that the determination on either the level of notification o[r] the manner in which it is proposed to be accomplished is not in compliance with this chapter or the guidelines adopted pursuant to this chapter.” Section 11-37.1-16.

Thus, the State bears “the initial burden of making out a *prima facie* case before the Superior Court, whereupon the burden shift[s] to appellant to rebut the board of review’s classification of his risk level . . . by a . . . preponderance of the evidence[.]” *Germane*, 971 A.2d at 580-81.

B

Superior Court Review of Magistrate's Order

This Court's review of a magistrate's order is governed by Rule 2.9(h) of the Superior Court Rules of Practice:[2]

> "The Superior Court justice shall make a de novo determination of those portions to which the appeal is directed and may accept, reject, or modify, in whole or in part, the judgment, order, or decree of the magistrate. The justice, however, need not formally conduct a new hearing and may consider the record developed before the magistrate, making his or her own determination based on that record whether there is competent evidence upon which the magistrate's judgment, order, or decree rests. The justice may also receive further evidence, recall witnesses or recommit the matter with instructions." Rule 2.9(h).

"The original papers and exhibits filed with the Superior Court, the transcript of the proceedings, and the docket entries shall constitute the record on appeal." Rule 2.9(f). '"Legally competent evidence is defined as such relevant evidence that a reasonable mind might accept as adequate to support a conclusion, and means an amount more than a scintilla but less than a preponderance."' *Montaquila v. Neronha*, 289 A.3d 568, 572-73 (R.I. 2023) (quoting *Beagan v. Rhode Island Department of Labor and Training*, 162 A.3d 619, 626 (R.I. 2017)) (further internal quotation omitted).

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[2] As the Superior Court's "drug court magistrate," the Magistrate was "empowered to hear and decide . . . all matters that may come before the superior court pursuant to [the Act]." G.L. 1956 § 8-2-39.2(f). Section 8-2-39.2(j) authorizes a Superior Court Justice's review of a drug court magistrate's order:

> "A party aggrieved by an order entered by the recovery court magistrate shall be entitled to a review of the order by a justice of the superior court. Unless otherwise provided in the rules of procedure of the court, such review shall be on the record and appellate in nature. The superior court shall, by rules of procedure, establish procedures for reviews of orders entered by a recovery court magistrate[.]" Section 8-2-39.2(j).

In this case, the Court did not entertain additional evidence and limited its review of the Magistrate's decision to the record and appeal memoranda.

III

Analysis

It is undisputed that the State met its burden to present a prima facie case for the classification pursuant to § 11-37.1-16, thus shifting the burden to Sheridan. Before this Court, Sheridan argues primarily that the Board and the Magistrate improperly weighed the progress that he has made in sex offender counseling and in his personal and employment life, as well as the facts of the offense and the relationship between Sheridan and the victim. (Sheridan's Mem. in Supp. of Appeal of Magistrate's Decision (Sheridan's Mem.) at 2.) In Sheridan's view, his low risk assessment scores, completion of sex offender counseling, lack of criminal record, and community support proved by a preponderance of the evidence that his Level II classification is overstated. *Id.* at 1-2. The State asserts that the Level II finding is well-founded. (State's Mem. in Supp. of Magistrate's Decision at 2.)

As an initial matter, "a sexual offender assessment should not take place in a vacuum or solely rest on the results of the risk assessment tools. The classification of an individual's future risk of sexual recidivism is not a one-size-fits-all application." *Dennis*, 29 A.3d at 451; *see* § 11-37.1-6(4) (delineating the multiplicity of materials accessible to the Board). In *Dennis*, our Supreme Court held that there was competent evidence to support the Board's assessment that the offender presented a Level III or "high" recidivism risk even though the risk assessment tools indicated only a "moderate to moderate-low risk" of reoffending. *Dennis*, 29 A.3d at 451-52. There, the Board designated the offender as a Level III risk after considering the actuarial results in combination with "other available documentation, including criminal record, police reports, and

treatment information." *Id.* at 451 n.6. It also "listed a number of characteristics it considered in Dennis' particular case[.]" *Id.* The offender argued that the Board improperly "ignored the results of the objective tests[.]" *Id.* at 450. The Court disagreed and explained that the Board "properly relied upon a range of materials to formulate its decision." *Id.* at 452. It also repeated its caution against overreliance upon actuarial tools: '"[r]isk assessment is not an exact science, and a certain amount of judgment and even intuition must be exercised by both the board of review and the reviewing magistrate."' *Id.* at 450-51 (quoting *Germane*, 971 A.2d at 589).

Here, the Board and the Magistrate "properly relied upon a range of materials" to formulate their decisions. *See id*. at 452. The Board examined Sheridan's criminal record, relevant police reports, Sheridan's statements during his SOCNU interview, and his institutional and treatment records. (Board's Report at 1.) Based on those materials, it concluded that the nature and duration of Sheridan's abuse of the victim, including similar behavior toward the victim's brother, its opportunistic nature, and his denial of certain acts, elevated his risk of reoffense to Level II despite his low scores on the actuarial tests. *See generally* Board's Report. The Magistrate examined the same materials, along with treatment records generated after the Board's decision was issued, and concluded that Sheridan failed to demonstrate by a preponderance of the evidence that the Board's Level II risk classification was erroneous. (Hr'g Tr. 25:8-11, Jan. 28, 2026.) The Magistrate correctly noted that in addition to the scores, "[a] prudent evaluator will always consider other materials that could influence risk in either direction," including the facts of the index offense. *Id.* at 7:2-3. The Court accepts the findings of the Magistrate regarding Sheridan's risk of recidivism that were based on materials other than the actuarial tests. These findings constitute much more than a scintilla of evidence supporting the Magistrate's conclusion that Sheridan did not prove that the Board's Level II risk classification was erroneous.

Sheridan contends that the Magistrate placed too much weight on the facts of the index offense and the relationship and not enough on the "tremendous progress that [Sheridan] has made in sex offender counseling and in his personal and employment life[.]" (Sheridan's Mem. at 2.) It is well established that the nature and duration of the offense, as well as examining the relationship between Sheridan and the victim, is competent evidence of an offender's likelihood of recidivism. *Matteson v. Rhode Island Department of Attorney General*, 266 A.3d 1237, 1242 (R.I. 2022). In *Matteson*, our Supreme Court held that there was competent evidence in the record to support the Board's Level III risk classification. *Id.* The offender in that case pled guilty in federal district court to three felony counts of distributing, receiving, and possessing child pornography. *Id.* at 1239. He also pled nolo contendere in the Superior Court to one count of indecent solicitation of a minor. *Id.* According to a police narrative, the offender "repeatedly requested nude photos" from a fifteen-year-old boy who was a member of a soccer team that the offender coached. *Id.* He also "arranged to pick him up at his house and take him to a private location." *Id.* Upon searching the offender's property, police discovered 898 images of child pornography and seventy-three videos of child pornography. *Id.* In determining the offender's risk to reoffend, the Board reviewed the results of the Static-99R, the Static-2002R, and the Stable 2007, which placed the offender in the "average" to "low risk-to-reoffend categories. *Id.* at 1240. The Board also considered a SOCNU interview of the offender. *Id.* It ultimately classified the offender's risk level as "high-risk" or Level III. *Id.*

The offender appealed the Board's classification to a Superior Court magistrate, who affirmed the decision. *Id.* The magistrate noted that the offender's "position of authority as coach of the youth who he solicited . . . weighed against" lowering the Board's Level III classification. *Id.* The offender then appealed the decision to a justice of the Superior Court, who in turn affirmed

the decision of the magistrate. *Id.* at 1240-41. The Supreme Court affirmed that decision and explained that "the board is obligated to base its classification of an offender on the results of objective risk-assessment tool(s) *and* external factors collected from additional materials *and* documentation." *Id.* at 1242 (first citing *Dennis*, 29 A.3d at 451-52; and then citing § 11-37.1-6(2)(i)). The Court noted several "external factors" in that case that the Board considered which justified its Level III classification. *Id.* Namely, the offender "exploited his position of authority as a high school soccer coach" and specifically targeted one of the athletes he had coached; he also "denied and/or did not accept responsibility for some of his actions." *Id.*

The Magistrate here, much like the magistrate in *Matteson*, found that the facts of the case supported more than a Level I classification. She noted that "the Court obviously has the same concerns that the Board initially had about [Sheridan's] lengthy history as a middle school teacher, as well as working at a Boy Scout camp around the time of the Index Offense." (Hr'g Tr. 24:10-14, Jan. 28, 2026.) Just as it was proper for the Board and magistrate in *Matteson* to consider the offense and nature of the relationship between the victim and the offender, it was appropriate here for the Board and the Magistrate to consider Sheridan's position of trust, the nature of his relationship to the victim as a father figure, and how many times he assaulted the victim either in his own home or at camp. *See Matteson*, 266 A.3d at 1242. Sheridan took advantage of his role in the victim's life and used it for his own pleasure over the span of approximately four years. (Hr'g Tr. 10:22-24, Jan. 28, 2026.) This Court accepts the finding of the Magistrate that Sheridan held a position of trust with the victim that he repeatedly abused and concludes that this finding constitutes competent evidence that Sheridan did not prove that the Board's Level II risk classification was erroneous.

Sheridan's characterization of the relationship as a quasi-romantic friendship does not, standing alone, negate the objective fact that he occupied a position of authority over the victim as a father figure in his life. As *Matteson* illustrates, an offender's interpersonal relationship with a minor may coexist with the offender's position of authority. *Matteson*, 266 A.3d at 1242. Sheridan was an authority figure and was twenty years older than the teenage victim when the abuse began. (Board's Report at 4.) His continued insistence that there was a "relationship" between them provides support to the conclusion that the Level II risk classification is appropriate.

Further, Sheridan denied that he behaved similarly with the victim's brother, that he himself was ever molested, and that he told the victim it was "for his own good;" and he denied that the assaults occurred approximately one hundred times and that he ever asked the victim to masturbate into a petri dish. *See generally* SOCNU Interview. Yet, he simultaneously argues that he has taken accountability for his actions. *Id.* The Supreme Court in *Matteson* expressly approved of the Board's and the magistrate's consideration that the offender did not accept responsibility for some of his actions. *Matteson*, 266 A.3d at 1242. Similarly, the Board and the Magistrate here were entitled to consider Sheridan's refusal to accept responsibility and denial of actions in evaluating his risk of reoffense. *Id*.

Like the Magistrate, this Court also acknowledges Sheridan's participation in sex offender counseling and commends him for the progress that he has made before and after being discharged in September of 2025. (Counseling Reports.) Sheridan's records indicate that he consistently maintained "acceptable" or "excellent" participation and that he was present and engaged in the conversation with each group session. *See generally* Counseling Reports. Despite these positives, a counselor nevertheless indicated when he was discharged a concern of "[i]nvolvement with [c]hildren" under the heading "[w]hat behaviors might supervision or law enforcement officers be

concerned about that might signal that the participant is getting more likely to re-offend." (Counseling Reports, Sep. 2025.) The Magistrate specifically noted this observation. (Hr'g Tr. 24:1-8, Jan. 28, 2026.) This Court does too accept the finding of the Magistrate that Sheridan's counseling records did not prove that the Board's Level II risk classification was erroneous.

IV

Conclusion

After reviewing the entire record, this Court finds that there is competent evidence supporting all of the Magistrate's findings concerning Sheridan's claims that his classification was in error. This Court accepts all parts of the Magistrate's decision affirming the Board's classification of Sheridan as a Level II sex offender. Counsel shall prepare the appropriate order.

RHODE ISLAND SUPERIOR COURT

Decision Addendum Sheet

TITLE OF CASE:	**Matthew Sheridan v. State of Rhode Island**
CASE NO:	**PM-2023-05979**
COURT:	**Providence County Superior Court**
DATE DECISION FILED:	**November 9, 2026**
JUSTICE/MAGISTRATE:	**M. Darigan, J.**
ATTORNEYS:	
For Plaintiff:	**Glenn Sparr, Esq.**
For Defendant:	**Megan A. Andrews, Esq.**