

**SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF SAN JOAQUIN**

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i>  TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (Name): _____	<b>FOR COURT USE ONLY</b>
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: _____ DATE OF BIRTH: _____	
<b>PETITION</b>	
<input type="checkbox"/> <b>FOR RESENTENCING</b> (Pen. Code, § 1170.18(a)) <input type="checkbox"/> <b>FOR REDUCTION TO MISDEMEANOR</b> (Pen. Code, § 1170.18(f))	
<p align="center"><b>INSTRUCTIONS</b></p> <ul style="list-style-type: none"> <li>• Petitioner must complete Petition and indicate whether a request is made for Resentencing <u>or</u> Reduction to Misdemeanor.</li> <li>• Upon filing, petitioner is required to immediately provide notice by providing a copy of the Petition to the District Attorney.</li> <li>• The District Attorney is required to complete the Response, file with the court, and provide notice by providing a copy to the Petitioner.</li> <li>• If the petitioner is currently in County Jail or State Prison related to this case, District Attorney indicates the petitioner is ineligible, or if either the petitioner or District Attorney requests a hearing as provided below, the court will set a hearing and provide notice of the date, time, and location to the petitioner and District Attorney.</li> </ul>	
	CASE NUMBER: _____

**PETITIONER/CONVICTION INFORMATION**

On \_\_\_\_\_, Petitioner, the defendant in the above-entitled criminal action, was convicted of the following felony offenses that have now been reclassified as misdemeanors (*specify code(s) and section(s)*): \_\_\_\_\_  
 and was sentenced to (*specify sentence imposed*): \_\_\_\_\_

Petitioner has no prior convictions for offenses under Penal Code § 667(e)(2)(C)(iv) or for an offense requiring registration pursuant to Penal Code § 290(c). Petitioner does not pose an unreasonable risk of danger to public safety as defined in Penal Code § 1170.18(c).

**1.  RESENTENCING**

Petitioner is currently serving the above sentence. Petitioner requests that the felony sentence be recalled and that Petitioner be resentenced to a misdemeanor under Penal Code § 1170.18(b), (d).

Petitioner is currently being held in County Jail or State Prison (*court will set a hearing*).

**2.  REDUCTION TO MISDEMEANOR**

Petitioner has completed the above sentence. Petitioner requests that the eligible felony convictions listed above be reduced to misdemeanors under Penal Code § 1170.18(f), (g).

Although a hearing is not necessary, I request a hearing for this determination. (*check only if you want a hearing for this determination*)

I declare under penalty of perjury and to the best of my information and belief that the foregoing is true and correct.

Executed on: \_\_\_\_\_  
 (DATE)

\_\_\_\_\_  
 (SIGNATURE OF PETITIONER OR ATTORNEY)

\_\_\_\_\_  
 (ADDRESS, PETITIONER)

\_\_\_\_\_  
 (CITY)

\_\_\_\_\_  
 (STATE)    \_\_\_\_\_  
 (ZIP CODE)