

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): _____	FOR COURT USE ONLY
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: _____ DATE OF BIRTH: _____	
RESPONSE	
<input type="checkbox"/> FOR RESENTENCING (Pen. Code, § 1170.18(a)) <input type="checkbox"/> FOR REDUCTION TO MISDEMEANOR (Pen. Code, § 1170.18(f))	
INSTRUCTIONS <ul style="list-style-type: none"> • Petitioner must complete Petition and indicate whether a request is made for Resentencing or Reduction to Misdemeanor. • Upon filing, petitioner is required to immediately provide notice by providing a copy of the Petition to the District Attorney. • The District Attorney is required to complete the Response, file with the court, and provide notice by providing a copy to the Petitioner. • 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. 	CASE NUMBER: _____

DISTRICT ATTORNEY’S RESPONSE TO PETITION FOR RECENTENCING REDUCTION TO MISDEMEANOR

Having received notice of a petition dated _____, the District Attorney responds as follows:

A. RESENTENCING

- The District Attorney has no objection to this petition. Petitioner is entitled to the requested relief.
- A hearing is requested on the resentencing.
- Petitioner is not eligible for the requested relief because *(select all that apply)*:
 - The specified offenses are not eligible under Penal Code § 1170.18.
 - Petitioner has at least one prior conviction for an offense under Penal Code § 667(e)(2)(C)(iv) or for an offense requiring registration pursuant to Penal Code § 290(c).
 - Petitioner poses an unreasonable risk of danger to public safety as defined in Penal Code § 1170.18(c).

B. REDUCTION TO MISDEMEANOR

- The District Attorney has no objection to this petition. Petitioner is entitled to the requested relief.
- The petitioner is not eligible for the requested relief because:
 - The specified offenses are not eligible under Penal Code § 1170.18.
 - The petitioner has at least one prior conviction for an offense under Penal Code § 667(e)(2)(C)(iv) or for an offense requiring registration pursuant to Penal Code § 290(c).

Date: _____

Deputy District Attorney