ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name, State Bar number, and address):*	*FOR COURT USE ONLY*
TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (Name):	

PEOPLE OF THE STATE OF CALIFORNIA VS. DEFENDANT: DATE OF BIRTH:	

PETITION

☐ **FOR RESENTENCING**   ☐ **FOR REDUCTION TO MISDEMEANOR**
(Pen. Code, § 1170.18(a))   (Pen. Code, § 1170.18(f))

INSTRUCTIONS	CASE NUMBER:
• Petitioner must complete the Petition and indicate whether a request is made for Resentencing <u>or</u> 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.	Hearing Date: _____ Hearing Time: _____

PETITIONER/CONVICTION INFORMATION

On *(date)* _____, 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. Petitioner is currently being held in County Jail or State Prison *(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)