ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) Telephone No.: _____ Fax No.: _____ E-mail Address: _____ Attorney For (Name):_____	Court Use Only.
Plaintiff: The People of the State of California	
Defendant(s):	Date of Birth:
PETITION ☐**FOR RESENTENCING** **Penal Code § 1170.18(a)** ☐**FOR REDUCTION TO** **Penal Code § 1170.18(f)**	Case Number:

INSTRUCTIONS

- Petitioner must complete the Petition and indicate whether a request is made for Resentencing or Reduction to Misdemeanor.
- Upon filing, petitioner is required to immediately give notice by providing a copy of the Petition to the District Attorney. Complete the Declaration of Service on Page 3.
- The District Attorney is required to prepare a Response, file it with the Court, and give 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.

PETITIONER AND CONVICTION INFORMATION

On (date) _____ petitioner, and the defendant in the above-entitled criminal action, was convicted of the following felony offenses that have now been reclassified as misdemeanors [specify counts, 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).

A. ☐ **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).

B. ☐ **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.

Date: _____ _____

Signature of Petitioner or Attorney for Petitioner

_____

Petitioner's Address City State and Zip Code

DECLARATION OF SERVICE

The undersigned declares as follows:

1. That I am a citizen of the United States, over the age of eighteen years and not a party to the within action. That my
   ☐ business or ☐ residence address is:_____

   _____

2. On the date below, I served a copy, or copies, of the within PETITION FOR RESENTENCING/ REDUCTION TO MIDSDEMEANOR (PC § 1170.18(a) OR PC § 1170.18(f)) by:

   ☐ PERSONAL SERVICE: By leaving a true copy with the receptionist at the front desk at the Office of the District Attorney, 423 N. Washington Street, Sonora CA.

   ☐ MAIL: By placing a true copy in a sealed envelope, with postage fully prepaid, addressed to: Office of the District Attorney, 423 N. Washington Street, Sonora, CA, 95370.

   ☐ MAIL: By placing a true copy in a sealed envelope, with postage fully prepaid, addressed to: Office of the Public Defender, 99 N. Washington Street, Sonora, CA, 95370.

   ☐ MAIL: By placing a true copy in a sealed envelope, with postage fully prepaid, addressed to [insert name and address of any other attorney involved in the case]:

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct.

DATED: _____ _____

Signature

_____

Type or Print Name