

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA 200 South G Street Madera, CA 93637 Criminal Division	
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: _____ DATE OF BIRTH: _____	
PETITION <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 <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. 	CASE NUMBER: _____

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. (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)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA 200 South G Street Madera, CA 93637 Criminal Division	
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 <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. 	CASE NUMBER: _____

DISTRICT ATTORNEY'S RESPONSE TO PETITION FOR RESENTENCING 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

<p align="center">Superior Court of California, County of Madera 200 South G Street Madera, CA 93637 Criminal Division</p>	<p align="center"><i>FOR COURT USE ONLY</i></p>
<p>PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT:</p>	
<p align="center">ORDER - PETITION FOR RESENTENCING (Penal Code §1170.18)</p>	<p>CASE NUMBER:</p>

The defendant in the above-captioned case filed a Petition for Resentencing on felony Count(s) _____ (count nos.), violation of _____ (code sections) pursuant to Penal Code §1170.18.

Defendant alleges he or she:

- Has completed his/her sentence and petitions to have the felony count(s) designated as a misdemeanor(s).
- Is still serving a sentence on the felony count(s) and petitions for resentencing.

ORDER

- The Petition for Resentencing is denied. Reason: _____
- Count(s) _____ are ordered designated as a misdemeanor conviction(s).
- Formal probation is now ordered converted to Summary Probation under the same terms and conditions.
- Defendant is sentenced as follows: _____

- Matter is ordered set for Hearing re PC 1170.18 on _____ at _____ a.m. in Department _____, located at _____.
- Matter is ordered set for Resentencing (PC 1170.18) on _____ at _____ a.m. in Department _____, located at _____.

IT IS SO ORDERED.

Date: _____

 Judge of the Superior Court

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
SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA 200 South G Street Madera, CA 93637 Criminal Division	
PEOPLE OF THE STATE OF CALIFORNIA VS. DEFENDANT: _____	
PROOF OF SERVICE - CRIMINAL Check method of service: <input type="checkbox"/> PERSONAL SERVICE <input type="checkbox"/> SERVICE BY MAIL	
CASE NUMBER: _____	

DIRECTIONS: This form is only for providing proof that a document or form was served (delivered). The person who serves (delivers) a document or form in this case and who fills out this form must be at least 18 years old. This form is for proof of service by mail or personal delivery. A completed form should be filed with court. Keep a copy of this form for your records.

1. Person serving. I am over the age of 18 and not a party to this action.
 Name: _____
 Address _____

 Telephone: _____
2. I served (delivered) a copy of the following document or form (*fill in the name of the document you are serving*):

3. The documents were served by the following means (*check either a or b below*):
 - a. **Personal Service:** I personally delivered the documents to the persons at the addresses listed below:
 - (1) Name of person served: _____
 - (2) Address where served: _____
 - (3) Date served: _____
 - (4) Time served: _____
 - b. **Service by mail:** I enclosed the documents in a sealed envelope or package addressed to the person below by depositing them with the United States Postal Service or placing them for collection with postage fully prepaid.

 The envelope was addressed as follows:
 - (1) Name of person served: _____
 - (2) Address: _____
 - (3) Date of mailing: _____
 - (4) Place of mailing (city and state): _____

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

Date: _____

 (Type or print name)

 (Signature of Server)