

ATTORNEY (Name, State Bar Number, and Address)	(FOR COURT USE ONLY)
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA	
PLAINTIFF: <p style="text-align: center;">PEOPLE OF THE STATE OF CALIFORNIA</p>	
DEFENDANT:	
<input type="checkbox"/> PETITION TO REDESIGNATE FELONY CONVICTION AS MISDEMEANOR (PC §1178.18(f)) <input type="checkbox"/> PETITION FOR RESENTENCING (PC §1170.18(a))	CASE NUMBER:

1. Defendant was convicted in this case of the following offenses that would have been misdemeanors if committed on or before November 5, 2014 (*list all eligible counts and code sections*) (*Attach additional pages.*)

2. Defendant has no prior convictions for offenses that are listed in PC § 667(e)(2)(C)(iv) or that require registration under PC § 290(c).

3. PETITION TO REDESIGNATE FELONY CONVICTION(S) AS MISDEMEANOR(S):

- a. Defendant has completed the sentence in this case (is not in custody or on probation, parole, PRCS, or mandatory supervision.
- b. Defendant hereby petitions to have the eligible felony conviction(s) designated as a misdemeanor(s).
- c. A hearing on this petition (*check one*): is not requested; is requested; is requested only if the petition is opposed.

4. PETITION TO RECALL FELONY SENTENCE AND RESENTENCE AS MISDEMEANOR(S):

- a. Defendant is in custody in this case at (*facility*) _____, and the release date is ___/___/___; or
 Defendant is currently on probation on mandatory supervision on parole on PRCS
- b. Defendant hereby petitions to have the sentence recalled and to be resentenced on _____, 20____ at 9:00 a.m. in Dept 31 at the Hall of Justice (*requested date must be at least 35 days after petition is filed*)

5. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief, and that this petition is executed on (*date*): _____, 20____.

(Attorney for Defendant)

6. DISTRICT ATTORNEY RESPONSE (*must be filed within 30 days of service of the petition*)

- a. The District Attorney requests that the petition be GRANTED
- b. The District Attorney requests that the petition be DENIED for the following reason(s):
 - (1) The defendant has a prior conviction under PC § 667(e)(2)(C)(iv) and/or a conviction requiring registration under PC § 290(c) (*list convictions by docket # and code section*)

 - (2) The following felony offenses do not qualify for resentencing or redesignation (*list each count and code section and provide a brief explanation*)

 - (3) The defendant poses an unreasonable risk to public safety as defined in PC § 1170.18(c)

(COURT USE ONLY)

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief and that the response is executed on (*date*) _____, 20____.

Number of pages attached: _____ Deputy / Assistant District Attorney D# _____