

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO

Name: _____ SBN: _____ Address: _____ Phone: _____ Attorney for Petitioner _____	(COURT USE ONLY)
PEOPLE OF THE STATE OF CALIFORNIA PETITIONER	SUPERIOR COURT CASE NUMBER Court# _____
PETITION FOR RESENTENCING – RESPONSE AND ORDER PETITION FOR RECLASSIFICATION – RESPONSE AND ORDER PENAL CODE §1170.18	DATE TIME DEPARTMENT #

Petitioner in the above-entitled case hereby files a petition for resentencing reclassification of the felony count(s) of _____ pursuant to Penal Code §1170.18. Petitioner does not request a hearing unless the court intends to deny the relief sought.

Petitioner:

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

Executed on: _____

SIGNATURE OF ATTORNEY

District Attorney Response:

- Petitioner has completed his/her sentence and is entitled to have the felony count/s designated as misdemeanors.
 Petitioner has a pending case and/or is still serving a sentence and is entitled to resentencing.
 Petitioner is not entitled to the relief requested. Reason: _____
 A Hearing should be held to determine whether petitioner poses an unreasonable risk of danger to public safety.

Executed on: _____

SIGNATURE OF ASSISTANT DISTRICT ATTORNEY

ORDER

- The court denies the petition.
 The court grants the petition. The court finds that the petitioner is eligible for the following relief: The court reduces count/s _____ a felony offense of _____ to a misdemeanor.
 Formal probation is converted to court probation, same terms and conditions.
 Formal probation is converted to court probation, modified as follows: _____
 Formal probation continues as ordered, same terms and conditions.
 Formal probation is modified as follows: _____
 Petitioner faces a maximum potential sentence of 364 days or less. Petitioner has completed a sentence of 364 days or less.
 Probation is hereby terminated successful unsuccessful.
 The restitution fine is reduced to \$150.
 Other: _____
 Having been convicted of a misdemeanor, and having completed the sentence for this conviction, Petitioner is therefore not subject to supervision by the California Department of Corrections and Rehabilitation.
 The matter is ordered set for hearing on _____ at _____ in Dept. _____

This Order shall be set aside upon request of Petitioner.

Any felony conviction that is recalled and resentenced under §1170.18 subdivision (b) or designated as a misdemeanor under subdivision (g) shall be considered a misdemeanor for all purposes, except that such resentencing shall not permit that person to own, possess, or have in his or her custody or control any firearm or prevent his or her conviction under Chapter 2 (commencing with Section 29800) of Division 9 of Title 4 of Part 6.

Executed on: _____

JUDGE OF THE SUPERIOR COURT

CLERK'S CERTIFICATE

The foregoing document, consisting of _____ page(s), is a full, true and correct copy of the original copy on file in this office.

Date: _____

Clerk of the Superior Court

By _____