

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar No., and Address):	(COURT USE ONLY)
TELEPHONE NO.: ATTORNEY FOR (Name):	E-MAIL ADDRESS: FAX NO.:
PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT:	DATE OF BIRTH:
SUPERIOR COURT OF CALIFORNIA, COUNTY OF MONTEREY 240 CHURCH STREET, SALINAS, CA 93901	SUPERIOR COURT CASE NUMBER
<input type="checkbox"/> PETITION FOR RECALL OF SENTENCE AND RESENTENCING (Penal Code § 1170.18(a)) <input type="checkbox"/> APPLICATION TO HAVE FELONY CONVICTION DESIGNATED AS MISDEMEANOR (Penal Code § 1170.18(f))	(COURT USE ONLY) DATE: TIME: DEPARTMENT:

PETITION/APPLICATION AND CONVICTION INFORMATION TO BE COMPLETED BY PETITIONER/APPLICANT:

On (date) _____, the defendant in the above entitled criminal action, was convicted of the following felony offenses that have now been reclassified as misdemeanors (specify code and section(s)): _____ and was sentenced to (specify sentence imposed): Prison Jail 1170(h) Other _____

- The offense(s) listed above is an eligible offense pursuant to Penal Code § 1170.18(a).
 Petitioner/Applicant has no prior convictions for offenses pursuant to Penal Code § 667(e)(2)(C)(iv) or for an offense requiring registration pursuant to Penal Code § 290(c).

A. RESENTENCING (In custody or currently supervised by Probation or Parole)

- Petitioner is currently serving the above sentence. Petitioner requests that the felony sentence be recalled and that Petitioner be resentenced to a misdemeanor pursuant to Penal Code §§ 1170.18(b) and (d).

B. DESIGNATED AS MISDEMEANOR (Completed custody AND no longer supervised by Probation or Parole)

- Applicant has completed the above sentence. Applicant requests that the eligible felony convictions listed above be designated misdemeanors pursuant to Penal Code §§ 1170.18(f) and (g).

UNLESS REQUESTED BELOW:

I agree to have a misdemeanor sentence imposed without my presence in Court. I waive any rights I may have to have the original sentencing judge hear this petition/application, and agree this petition/application may be heard by the Presiding Judge or his/her designee.

Request: _____

I understand resentencing of a felony offense to a misdemeanor shall not permit Petitioner/Applicant to own, possess, or have in his or her custody or control any firearm or ammunition as prohibited by Penal Code § 29800 et. seq. (Penal Code § 1170.18 (k))

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/APPLICANT OR ATTORNEY _____