

Attorney or Party without Attorney (Name, State Bar number, Address):	<i>(FOR COURT USE ONLY)</i>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF MERCED</b> Street Address: Mailing Address:	
PLAINTIFF <b>PEOPLE OF THE STATE OF CALIFORNIA</b>	
DEFENDANT  <div style="text-align: right;">Date of Birth:</div>	
<b>PETITION &amp; ORDER</b> (Pen. Code, § 1170.18)	CASE NUMBER:

**CONVICTION INFORMATION**

On *(date)* \_\_\_\_\_, Petitioner, the defendant in the above-entitled criminal action, was convicted of the following felony offense(s) *(specify code(s) and section(s))*:  
and was sentenced to *(specify sentence imposed)*:

**PETITION**

Petitioner has no prior convictions for offenses under Penal Code section 667(e)(2)(C)(iv) or for an offense requiring registration pursuant to Penal Code section 290(c). Petitioner does not pose an unreasonable risk of danger to public safety as defined in Penal Code section 1170.18(c).

**Select one:**

- 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 section 1170.18(b), (d).
  
- 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 section 1170.18(f), (g).

I allege on information and belief that the foregoing is true and correct.

Executed on: \_\_\_\_\_

\_\_\_\_\_  
(SIGNATURE OF PETITIONER OR ATTORNEY)

**DISTRICT ATTORNEY'S RESPONSE**

- 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 section 1170.18
  - The petitioner has at least one prior conviction for an offense under Penal Code section 667(e)(2)(C)(iv) or for an offense requiring registration pursuant to Penal Code § 290(c).
- The petitioner poses an unreasonable risk of danger to public safety as defined in Penal Code section 1170.18(c) *(only check if appropriate and petitioner is requesting resentencing under Penal Code section 1170.18(b), (d).)*

\_\_\_\_\_  
(SIGNATURE OF DISTRICT ATTORNEY)

**ORDER**

- The court **DENIES** the petition.
- The court finds from the records on file in this case and from the foregoing petition and response, that the petitioner is eligible for the requested relief. The court **GRANTS** the petition for
  - RESENTENCING** (under Penal Code § 1170.18(b),(d))  **REDUCTION TO MISDEMEANOR** (under Penal Code § 1170.18(b),(d))

As to (specify offense):

The petitioner is hereby resentenced to *(specify if applicable)*:

Date: \_\_\_\_\_  
(JUDICIAL OFFICER)

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