

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

<input type="checkbox"/> Hayward Hall of Justice 24405 Amador Street Hayward, CA 94544	<input type="checkbox"/> René C. Davidson Courthouse 1225 Fallon Street, Room 107 Oakland, CA 94612
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CRM-050

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar Number and Address</i>) TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS(<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY CASE NUMBER: _____
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT	
PETITION FOR RESENTENCING/REDUCTION TO MISDEMEANOR – RESPONSE AND ORDER (Penal Code §1170.18)	

To Be Completed by Defendant and, if Represented, Defendant’s Counsel:

The defendant in the above-captioned case is seeking a resentencing/reduction on felony Count(s) _____ (count nos.), violation of _____ (code sections), pursuant to Penal Code §1170.18.

Defendant alleges that s/he:

- 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.

Defendant’s current mailing address is _____.

By signing below, defendant acknowledges that s/he understands that s/he may not use, own or possess firearms, even if this Petition is granted.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the below is the true and correct signature of the defendant in this matter.

Date:

(TYPE OR PRINT NAME)	(SIGNATURE OF DEFENDANT)
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I verify that the foregoing information is true and correct to the best of my knowledge.

Date:

(TYPE OR PRINT NAME)	(SIGNATURE OF COUNSEL)
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PEOPLE OF THE STATE OF CALIFORNIA DEFENDANT:	CASE NUMBER:
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To be Completed by the District Attorney's Office:

Defendant is not entitled to the relief requested.
Reason(s):

A hearing should be set to determine whether defendant poses an unreasonable risk of danger to public safety Other: _____

Defendant has completed his/her sentence and is entitled to have the felony conviction(s) designated as a misdemeanor(s).

Defendant is still serving his/her sentence and is entitled to resentencing.

People waive presence and agree court may re-sentence.

People request resentencing hearing be set.

Date: _____

Deputy District Attorney

PEOPLE OF THE STATE OF CALIFORNIA DEFENDANT:	CASE NUMBER:
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FOR COURT USE ONLY

- Matter is **set for hearing re PC 1170.18** on _____ at _____ in Department _____
- Matter is **set for resentencing (PC 1170.18)** on _____ at _____ in Department _____

ORDER

- The Petition is denied. Reason: _____
- Count(s) _____ are ordered designated as a misdemeanor conviction(s).
- Probation is ordered terminated and Defendant shall be released from custody forthwith.
- Formal probation is now ordered converted to Summary Probation under the following terms and conditions:

and the following civil orders are hereby ordered set aside _____
- Defendant is sentenced as follows: _____

Date: _____

Judge of the Superior Court

CLERK'S CERTIFICATE

The foregoing Petition for Resentencing – Response and Order consisting of three (3) pages, is a full, true, and correct copy of the original on file in this office.

Clerk of the Superior Court

Date: _____

by _____, Deputy