

Name, address and telephone number of attorney or party without attorney:	<b>FOR COURT USE ONLY</b>
Telephone No.: _____ Fax No.: _____	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SUTTER</b>	
STREET ADDRESS: 1175 Civic Center Boulevard MAILING ADDRESS: 1175 Civic Center Boulevard CITY AND ZIP CODE: Yuba City, CA 95993 BRANCH NAME:	
PEOPLE OF THE STATE OF CALIFORNIA vs.	
DEFENDANT:	
<b>PETITION</b>	
<input type="checkbox"/> <b>RESENTENCING / DISMISSAL</b> Currently Serving Sentence / Probation [Health & Safety §11361.8(b)]	<input type="checkbox"/> <b>REDESIGNATION OR DISMISSAL/SEALING</b> Completed Sentence [Health & Safety §11361.8(e), (f)]
CASE NUMBER: _____	

**INSTRUCTIONS**

- Petitioner must complete this Petition & indicate whether the request is made for Resentencing **or** Post-Sentence Redesignation.
- Petitioner is required to provide notice to the District Attorney by providing a copy of this Petition. The person completing the service **must** fill out the Proof of Service on the second page prior to the filing of this Petition with the court.
- District Attorney is required to complete the Response, file the response with the court, & provide notice by providing a copy to the Petitioner.
- If either the Petitioner or District Attorney requests a hearing as provided below, the Court will set a hearing & provide notice of the date, time, & location to the Petitioner & District Attorney.

**PETITIONER / CONVICTION INFORMATION:**

On (date): \_\_\_\_\_, Petitioner, defendant in the above-entitled matter, was convicted of the following felony offenses that have now been reclassified under Proposition 64:

Health & Safety Code, §§  11357  11358  11359  11360 & was sentenced to *(specify)*: \_\_\_\_\_

Petitioner further states that s/he *(check all that apply)*:

- has no prior convictions for offenses under Penal Code, §667(c)(2)(c)(iv);
- is not required to register pursuant to Penal Code, §290(c), and/or;
- does not pose an unreasonable risk of danger to public safety as defined in Penal Code, §1170.18(c)

Petitioner further states that when committing the conduct resulting in the conviction s/he was:

- under 18 years of age  18 to 20 years of age  21+ years of age.      Date of Birth: \_\_\_\_\_

Petitioner further states that the nature of the substance which resulted in the conviction was:

- marijuana, not in the form of concentrated cannabis  concentrated cannabis  marijuana plants
- other *(specify)*: \_\_\_\_\_

Petitioner further states that the quantity of the substance which resulted in the conviction was:

- not more than 28.5 grams of marijuana, not in the form of concentrated cannabis;
- not more than 4 grams of marijuana in the form of concentrated cannabis;
- not more than 8 grams of marijuana in the form of concentrated cannabis;
- not more than 6 marijuana plants

PEOPLE OF THE STATE OF CALIFORNIA, vs.

, Defendant

CASE NUMBER:

**REQUEST FOR RELIEF:**

**11361.8(b) – CURRENTLY SERVING SENTENCE OR ON PROBATION:**

I request the sentence be recalled & that I be resentenced or the charge dismissed as required by law.

**11361.8(f) – COMPLETED SENTENCE:**

I request the sentence be recalled & the conviction redesignated or dismissed. If the conviction is dismissed, I request the court's record of conviction be sealed.

Although a hearing is not necessary, I request a hearing for this determination (*check only if you want a hearing for this determination, otherwise the court will review & rule on your petition*).

I declare under penalty of perjury & to the best of my knowledge & belief that the foregoing is true & correct.

Dated: \_\_\_\_\_

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

\_\_\_\_\_  
(DEFENDANT'S ADDRESS)

\_\_\_\_\_  
(CITY, STATE & ZIP CODE)

**PROOF OF SERVICE**

Personal Service     Service by Mail

1. I am at least 18 years old and not a party to this action.
2. I served a copy of the: Petition for  Resentencing / Dismissal     Redesignation or Dismissal / Sealing
3. By serving copies of the above-referenced documents:  by mail     personally as follows:
  - a. Name: \_\_\_\_\_ b. Date and time: \_\_\_\_\_
  - c. Address: \_\_\_\_\_
4. I am:
  - a.  not a registered California process server.
  - b.  a registered California process server.
  - c.  an employee or independent contractor of a registered California process server.
  - d.  exempt from registration under Business & Professions Code, §22350(b).
  - e.  a California sheriff or marshal
5. My name, address, and telephone number, and, if applicable, county of registration and number are (*specify*):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone number: \_\_\_\_\_

County of registration (*if applicable*): \_\_\_\_\_

Registration number (*if applicable*): \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
(TYPE OR PRINT NAME OF PERSON WHO SERVED DOCUMENTS)

\_\_\_\_\_  
(SIGNATURE OF PERSON WHO SERVED THE PAPERS)