

Attorney or Party without Attorney (Name, State Bar number, Address):	(COURT USE ONLY)
SUPERIOR COURT OF CALIFORNIA, COUNTY OF MERCED Street Address: Mailing Address:	
PLAINTIFF PEOPLE OF THE STATE OF CALIFORNIA	
DEFENDANT Date of Birth:	
PRO SE PETITION <input type="checkbox"/> TO REDESIGNATE FELONY CONVICTION AS MISDEMEANOR (PC §1178.18(f)) (Use when sentence is completed and you are not on probation, parole, or supervision)	CASE NUMBER
<input type="checkbox"/> FOR RESENTENCING (PC §1170.18(a)) (Use when you are still in custody or on probation, parole, or supervision)	

- I am the Defendant in the above-captioned case.
- I was convicted in this case of the following offenses (List ALL counts, not just the felonies which may be eligible for re-designation):

- I have never been convicted of any of the "Disqualifying Offenses" listed on the back of this petition.
- I ask that the Court Order on this petition be sent to me at the following address:
Street _____
City, State, Zip _____ Phone (optional) _____

PETITION TO REDESIGNATE FELONY CONVICTION(S) AS MISDEMEANOR(S) (Sentence Completed)

- I have completed my sentence and am no longer on probation, parole, or post-release community supervision.
- I hereby petition to have the eligible felony conviction(s) designated as a misdemeanor(s).
(See reverse side for more information)

PETITION TO RECALL FELONY SENTENCE AND RESENTENCE AS MISDEMEANOR(S) (Serving Sentence)

- I am in custody at _____. My release date is ____/____/_____.
- I am out of custody and on parole on formal probation on community supervision
My supervising parole / probation officer is _____.
- I was represented at my trial or plea by the Public Defender the conflict public defender (Merced Defense Association)
 private counsel (name) _____ I had no attorney
- I hereby petition to have my sentence recalled and to be resentenced.
- If my petition is granted, I wish to have counsel appointed for my resentencing.
(See reverse side for more information)

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief, and that this petition is executed on (date) _____, 20_____.

(Signature of Petitioner)

Defendant waives his/her presence.

Petition to Redesignate Felonies as Misdemeanors - Additional Information

The court will issue an order on your petition within 60 days. A hearing is not required to decide your petition.

If your petition is granted, you will also receive a copy of the order and any minute order or abstract of judgment for your records.

If the Court intends to deny your petition because you are not eligible to have your felonies reduced, you will receive a written notice of that intent. If you wish to do so, you may request a hearing within 30 days of that notice, and will receive written notification of the date and time to appear in court.

Petition for Resentencing - Additional Information

If the Court finds that you are eligible for re-sentencing, counsel will be appointed to represent you and will contact you directly at the address you have provided. (You may wish to include a telephone number for this purpose.)

If the Court intends to deny your petition because you are not eligible for resentencing, you will receive a written notice. If you wish to do so, you may request a hearing within 30 days of that notice, and will receive written notification of the date and time to appear in court.

LIST OF DISQUALIFYING OFFENSES (Penal Code §667(e)(2)(C)(2)(iv), Penal Code §290(c))

<input type="checkbox"/> Any "sexually violent offense" (W&I §6600(b)): Any following acts when committed by force, violence, duress, menace, fear of immediate and unlawful bodily injury, or threatening to retaliate in the future: A) <input type="checkbox"/> rape (PC §261), <input type="checkbox"/> rape of a spouse (PC §262) <input type="checkbox"/> rape, rape of a spouse or penetration by foreign object in concert (PC §261.4) <input type="checkbox"/> sodomy (PC §286) <input type="checkbox"/> lewd or lascivious act on child or dependent person (PC §288) <input type="checkbox"/> oral copulation (PC §288a) <input type="checkbox"/> continuous sexual abuse of a child (PC §288.5) <input type="checkbox"/> penetration by foreign object (PC §289) Any of the following when committed with intent to commit an offense listed in A): B) <input type="checkbox"/> kidnapping (PC §207) <input type="checkbox"/> aggravated kidnapping (PC §209) <input type="checkbox"/> assault (PC §220)
<input type="checkbox"/> Oral copulation, sodomy, or sexual penetration with a child under 14 and more than 10 years younger than defendant (PC §288a, PC §286, PC §289)
<input type="checkbox"/> A lewd or lascivious act with a child under 14 (PC §288)
<input type="checkbox"/> Any homicide or attempted homicide (PC §187 - 191.5)
<input type="checkbox"/> Solicitation to commit murder (PC §653f)
<input type="checkbox"/> Assault with a machine gun on peace officer or firefighter (PC §245(d)(3))
<input type="checkbox"/> Possession of a weapon of mass destruction (PC §11418(a)(1))
<input type="checkbox"/> Any serious or violent felony punishable in California by life imprisonment or death
<input type="checkbox"/> Any offense requiring lifetime sex offender registration under PC §290(c)