MC-P47-2

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	CASE NUMBER
□ TO REDESIGNATE FELONY CONVICTION □ FOR RESENTENCING	
AS MISDEMEANOR (PC §1170.18(f)) (PC §1170.18(a))	
(Use when sentence is completed and you are (Use when you are still in custody or	
not on probation, parole, or supervision) on probation, parole, or supervision)	
□ I am the Defendant in the above-captioned case.	
	h may be aligible for re designation);
□ I was convicted in this case of the following offenses (List ALL counts, not just the felonies whic	in may be eligible for re-designation).
□ I have never been convicted of any of the "Disqualifying Offenses" listed on the back of this pet	ition
□ I ask that the Court Order on this petition be sent to me at the following address:	
Street	·
City, State, Zip Phone (opt	ional)
PETITION TO REDESIGNATE FELONY CONVICTION(S) AS MISDEMEANOR(S) (Sentence C	
□ I have completed my sentence and am no longer on probation, parole, or post-release completed my sentence and am no longer on probation, parole, or post-release completed my sentence and am no longer on probation, parole, or post-release completed my sentence and am no longer on probation, parole, or post-release completed my sentence and am no longer on probation, parole, or post-release completed my sentence and am no longer on probation, parole, or post-release completed my sentence and am no longer on probation, parole, or post-release completed my sentence and am no longer on probation, parole, or post-release completed my sentence and am no longer on probation, parole, or post-release completed my sentence and am no longer on probation, parole, or post-release completed my sentence and am no longer on probation, parole, or post-release completed my sentence and am no longer on probation, parole, or post-release completed my sentence and am no longer on probation, parole, or post-release completed my sentence and am no longer on probation, parole, or post-release completed my sentence and am no longer on probation, parole, or post-release completed my sentence and am no longer on probation, parole, or post-release completed my sentence and am no longer on probation, parole, parole, or post-release completed my sentence and am no longer on probation, parole, pa	munity 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) (Se	
□ I am in custody at My release date is/	/
\Box I am out of custody and \Box on parole \Box on formal probation \Box on comm	nunity supervision
My supervising parole / probation officer is	
\Box I was represented at my trial or plea by \Box the Public Defender \Box the conflict public defen	der (Merced Defense Association)
□ private counsel (<i>name</i>)	□ 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	e and belief, and that this petition is
executed on (date), 20	,
, 20 <u>.</u> .	
(Signature of Petitioner)	sence.
	Page 1 of 2

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))

□ 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) 🛛 rape (PC §261),

- □ rape of a spouse (PC §262)
- □ rape, rape of a spouse or penetration by foreign object in concert (PC §261.4)
- □ sodomy (PC §286)
- □ lewd or lascivious act on child or dependent person (PC §288)
- □ oral copulation (PC §288a)
- □ continuous sexual abuse of a child (PC §288.5)
- □ penetration by foreign object (PC §289)

Any of the following when committed with intent to commit an offense listed in A):

- B) □ kidnapping (PC §207)
 - □ aggravated kidnapping (PC §209)
 - □ assault (PC §220)

□ 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)

□ A lewd or lascivious act with a child under 14 (PC §288)

□ Any homicide or attempted homicide (PC §187 - 191.5)

□ Solicitation to commit murder (PC §653f)

□ Assault with a machine gun on peace officer or firefighter (PC §245(d)(3))

□ Possession of a weapon of mass destruction (PC §11418(a)(1))

□ Any serious or violent felony punishable in California by life imprisonment or death

□ Any offense requiring lifetime sex offender registration under PC §290(c)