

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**

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	
<b>APPLICATION/PETITION FOR RESENTENCING AND PEOPLE'S RESPONSE</b> <b>(Penal Code § 1170.18, subsections (b) and (g))</b>	

**DEFENDANT'S APPLICATION/PETITION**

On \_\_\_\_\_, defendant was convicted in the above-captioned case of a felony violation of a crime that has now been made a misdemeanor pursuant to Proposition 47. He/she was convicted of the following felony: \_\_\_\_\_  
*code section(s), including subsection(s)*

Defendant does not have any conviction for an offense listed in Penal Code § 667(e)(2)(C)(iv) or which requires registration as a sex offender pursuant to Penal Code § 290(c).

*For Penal Code convictions only:*

The amount in question is not more than \$950.

*For Penal Code § 666 convictions only:*

Defendant is not required to register under any portion of the Sex Offender Registration Act *(Penal Code §§ 290 through 290.024)*.

**Applications Only**

Defendant has completed his/her sentence for the offense and requests that the felony conviction be designated a misdemeanor conviction pursuant to Penal Code § 1170.18(f)-(i).

**Petitions Only**

Defendant requests that the felony sentence be recalled and that he/she be resentenced to a misdemeanor pursuant to Penal Code § 1170.18(a)-(e).

Defendant is still on supervision even though he/she has completed the jail or prison term.

Defendant is currently serving a sentence for the offense in \_\_\_\_\_

Defendant requests that he/she be released from parole per Penal Code § 1170.18(d).

**OR**

*(name of jail or prison)*

Resentencing the defendant would not pose an unreasonable risk of danger to public safety, as defined in Penal Code § 1170.18(c).

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Defendant or Attorney for the Defendant*

**DISTRICT ATTORNEY'S RESPONSE**

People do not oppose. Defendant has completed his/her sentence and is eligible to have the felony conviction designated as a misdemeanor conviction.

People do not oppose. Defendant is still serving his/her sentence and is eligible and suitable for resentencing. The People recommend the following sentence: \_\_\_\_\_

People waive presence at resentencing.

People oppose. Defendant is ineligible for the relief requested:

Defendant's current conviction for \_\_\_\_\_ does not qualify for Proposition 47 relief.

Defendant is required to register pursuant to Penal Code § 290(c), or pursuant to Penal Code §§ 290 to 290.024 if the conviction is for Penal Code § 666.

Defendant has a prior conviction for an offense listed in Penal Code § 667(e)(2)(C)(iv): \_\_\_\_\_

People oppose. Defendant is eligible, but unsuitable for resentencing because resentencing the defendant poses an unreasonable risk of danger to public safety pursuant to Penal Code § 1170.18(c). People request that a suitability hearing be set.

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Deputy District Attorney*