

SHASTA COUNTY SUPERIOR COURT

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) TELEPHONE NO.: _____ FAX NO. (optional): _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (Name): _____	
PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT: _____	
PETITION AND ORDER FOR EXPUNGEMENT AND FOR REDUCTION TO A MISDEMEANOR [Penal Code §§ 17(b), 1203.4, 1203.4a]	CASE NUMBER: _____
Defendant's Information: CII#: _____ SSN# (LAST FOUR DIGITS ONLY): _____ DRIVER'S LICENSE#: _____ DATE OF BIRTH: ____/____/____	

PETITION

1. On (date): ____/____/____, defendant was convicted of a violation of section(s) (specify): _____
 _____ of the (specify): _____ Code.

2. Defendant was placed on probation and is not (a) currently serving a sentence for any offense, (b) on probation for any offense, or (c) charged with the commission of any offense, and
 - a. fulfilled the conditions of probation for the entire period thereof.
 - b. was discharged from probation prior to the termination of the period thereof.

3. Defendant, having been convicted of a misdemeanor without having been placed on probation, served the entire sentence of the court, and more than one year has elapsed since the date of pronouncement of judgment, and is not (a) currently serving a sentence for any offense, (b) on probation for any offense, or (c) charged with the commission of any offense.

4. Defendant requests to withdraw his or her plea of guilty or plea of *nolo contendere* or that the verdict or finding of guilt be set aside and that a plea of not guilty be entered, and that the court dismiss this case pursuant to Penal Code §§ 1203.4 or 1203.4a.

- 5a. Defendant respectfully requests that his or her felony conviction(s) be reduced to a misdemeanor pursuant to Penal Code §17(b).

- 5b. A declaration in support of this reduction request is attached is not attached.

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

Executed on: _____ at _____, California.

 Signature of Defendant

 Print Name of Defendant

SHASTA COUNTY SUPERIOR COURT

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DISTRICT ATTORNEY RESPONSE

1. As to Defendant's request for reduction to a misdemeanor: CONCUR DOES NOT CONCUR
2. As to Defendant's request for dismissal: CONCUR DOES NOT CONCUR
3. A review of Defendant's DRIVER'S LICENSE HISTORY CRIMINAL HISTORY was completed.

Comments: _____

D.A. Signature: _____

Dated: ____/____/____

ORDER

- 1a. Upon review of the records in this case, and the foregoing petition, defendant is eligible for the relief provided by the Penal Code of California. It is ordered that the guilty/nolo contendere plea/verdict or finding of guilty in the above-entitled action be set aside and a plea of not guilty be entered. The case is dismissed pursuant to provisions of Penal Code §§ 1203.4/1203.4a.
- 1b. Request for dismissal is DENIED with prejudice without prejudice.

NOTE: This order does NOT relieve you of the obligation to disclose your prior felony conviction(s) in response to any direct question contained in any questionnaire or application for public office or for licensure by any state or local agency or for contracting with the state lottery. If you are currently restricted by the provisions of Penal Code §§ 12021 or 12021.1, this dismissal does not permit you to own, possess, or have in your custody or under your control any firearm or ammunition, or prevent you from being charged and convicted, in the future, for a violation of Penal Code §§ 12021, 12021.1, or 12316. Notwithstanding dismissal, any prior conviction(s) may be pled and proved as a prior conviction.

- 2a. Request for reduction to a misdemeanor is GRANTED as to each listed felony, as follows:
_____.
- 2b. Request for reduction to a misdemeanor is DENIED with prejudice without prejudice.
3. Hearing on the Petition is ordered to be heard on: ____/____/20____ in Department _____
at _____ a.m./p.m.

Judge's Comments:

Date: _____

Judge of the Superior Court