

**SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF AMADOR
PROPOSITION 47**

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>Name:</i> _____ Bar Number: _____ <i>Address:</i> _____ E-mail Address: _____ State: _____ Zip: _____ Attorney for (Name): _____ Telephone No.: _____ Fax No.: _____	FOR COURT USE ONLY
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: _____ DATE OF BIRTH: _____	
APPLICATION FOR RESENTENCING AND REDUCTION <i>PROPOSITION 47</i> <input type="checkbox"/> Reduction to Misdemeanor (Penal Code § 1170.18 (f)) <input type="checkbox"/> Resentencing (Penal Code § 1170.18 (a))	CASE Number: _____ CDCR Number: _____
INSTRUCTIONS 1. Defendant must complete Application and indicate whether a request is made for Resentencing or Reduction to misdemeanors. 2. Upon filing, defendant is required to immediately provide notice by providing a copy of this Application to the District Attorney and file a Proof of Service with the Court. 3. The District Attorney is required to complete a Response form, file response with the court, and provide notice by providing a copy to the Applicant. 4. If either petitioner or District Attorney requests a hearing the court will set a hearing and provide notice of the date, time, and location to the petitioner and District Attorney.	

DEFENDANT CONVICTION INFORMATION:

Defendant: _____ was convicted of the following felony offenses that have now been reclassified as misdemeanors under the Safe Neighborhoods and School Act, i.e., violation of Health and Safety Codes Sections 11350, 11357, or 11377, or Penal Code Sections 459(a), 473, 476(a), 490.2, or 666.

Case No: _____	Date of Sentencing: _____	Sentence Imposed: _____
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Defendant has no prior convictions for offenses under Penal Code §667(e)(2)(C)(iv) or for an offense requiring registration pursuant to Penal Code §290(c). Petitioner does not pose an unreasonable risk of danger to public safety as defined in Penal Code §1170.18(c).

1. **RESENTENCING**

Petitioner is currently serving the following sentence:

Case No: _____	Date of Sentencing: _____	Sentence Imposed: _____
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- Petitioner qualifies for resentencing and requests that the felony sentence be recalled and that Petitioner be resentenced to a misdemeanor under Penal Code §1170.15(b)(d).
- There are no qualifiers present under Penal Code §1170.15(b)(1)-(3) and (i).

Petitioner is currently being held in County Jail or State Prison (court will set a hearing).

2. **REDUCTION TO MISDEMEANOR**

Petitioner's application satisfies the criteria and s/he request that the eligible felony offense(s) be designated misdemeanors under Penal Code §1170.18(f)(g).

- Applicant agrees to have a judge designated by the Presiding Judge to hear this matter and not the judge who sentenced him/her.

3. **HEARING DATE**

Although a hearing is not necessary, applicant requests a hearing for this determination.

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

Executed on: _____
(DATE)

(SIGNATURE OF APPLICANT OR ATTORNEY)

CURRENT ADDRESS OF DEFENDANT City: _____

State: _____ Zip: _____