

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO**

THE PEOPLE OF THE STATE OF CALIFORNIA

vs.

DEFENDANT

Attorney: _____

Judge Granting Probation: _____

Dates and period of Probation:

Start: ____/____/____ End: ____/____/____

COURT #: _____

COURT DATE: ____/____/20__

TIME: ____:____.m

DEPT: _____

**MOTION TO REDUCE FELONY TO MISDEMEANOR
AND MODIFY PROBATION & ORDER THEREON**

Penal Code § 1170.18

Address of Petitioner: _____

PETITIONER/CONVICTION INFORMATION:

On ____/____/____ Petitioner, the defendant in the above- entitled criminal action, was convicted of the following felony offense(s) that qualifies for relief pursuant to Penal Code § 1170.18 (*list count number and crime of conviction*):

and was placed on probation. Petitioner was ordered to serve _____ in county jail, of which Petitioner has served _____.

Petitioner has no prior convictions under Penal Code § 667(e)(2)(C)(iv), or for any offense requiring registration pursuant to Penal Code § 290(c). If the petition is for a felony Penal Code § 666 conviction: Petitioner has no prior conviction for Penal Code § 368(d) or (e).

Petitioner requests that the eligible felony conviction(s) listed above be reduced to misdemeanors and that probation be modified.

Petitioner understands a reduction to a misdemeanor would not entitle Petitioner to own, possess, or have in his/her custody any firearm.

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

Executed this _____ day of _____, 20____. _____
PETITIONER OR ATTORNEY

RESPONSE OF DISTRICT ATTORNEY:

The District Attorney has no objection to this petition. The District Attorney requests probation terms be modified as follows: _____

Petitioner is not eligible for the requested relief because: specified offense is not eligible under Penal Code § 1170.18; Petitioner has at least one prior conviction which precludes relief under Penal Code § 1170.18; Petitioner poses an unreasonable risk of danger to public safety.

DATED: ____/____/20__

DEPUTY DISTRICT ATTORNEY

COURT ORDER:

The Petition is denied. Reason(s): _____

The Petition is granted and the following convictions are ordered designated as misdemeanors: _____

Formal probation is reinstated under the same terms and conditions

Formal probation is converted to informal Court probation under the same terms and conditions

Probation is terminated

Other: _____

The matter is ordered set for hearing or resentencing on ____/____/20__, at 8:30a.m. in Department ____

Resentencing does not permit a person to own, possess, or have in his/her custody or control any firearm. Penal Code § 1170.18(k).

DATED: ____/____/20__

JUDGE OF THE SUPERIOR COURT