

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF NEVADA**

<b>ATTORNEY OR PARTY WITHOUT ATTORNEY</b> <i>(Name, State Bar number, and address):</i>   <b>TELEPHONE NO:</b> <b>EMAIL ADDRESS:</b> <b>ATTORNEY FOR (NAME):</b>	<i>FOR COURT USE ONLY</i>
<b>PEOPLE OF THE STATE OF CALIFORNIA</b> vs  <b>DEFENDANT:</b>	<b>CDCR NUMBER:</b> <b>JAIL ID NUMBER:</b> <b>DATE OF BIRTH:</b>
<b>PETITION/APPLICATION (Health and Safety Code, § 11361.8)</b> <b>ADULT CRIME(S)</b>  <input type="checkbox"/> <b>FOR RESENTENCING</b> ((H&S § 11361.8(b)) <input type="checkbox"/> <b>REDESIGNATION OR DISSMISSAL/SEALING</b> (H&S § 11361.8(f))	<b>CASE NUMBER:</b>  <b>DATE:</b> <b>TIME:</b> <b>DEPT:</b>

**INSTRUCTIONS**

- Before filing this form, petitioner/applicant should consult local court rules and court staff to determine if a formal hearing on the petition/application will be scheduled.
- If petitioner is currently serving a sentence for a qualified crime, please fill out sections 1 and 2.
- If the applicant has completed the sentence for a qualified crime, please fill out sections 1 and 3.
- Complete section 4 as necessary.
- Upon the filing of the petition/application, the petitioner/applicant must provide a copy of the petition/application to the office of the prosecuting agency (the district attorney, attorney general or city attorney, as appropriate).

**1. CONVICTION INFORMATION**

**CONVICTION A:**

On \_\_\_\_\_ (date), Petitioner/Applicant, the defendant in the above-entitled criminal action, was convicted of the following Health and Safety Code section ☐ 11357 ☐ 11358 ☐ 11359 ☐ 11360, which has been reclassified under Proposition 64.

Petitioner/Applicant further states that when committing the conduct resulting in the conviction, they were:

☐ 18-20 years old; ☐ 21 years old or older. Date of birth: \_\_\_\_\_

Petitioner/Applicant further states that the nature of the substance which resulted in the conviction was:

☐ Marijuana not in the form of concentrated cannabis; ☐ Concentrated cannabis; ☐ Marijuana plants;

☐ Other: \_\_\_\_\_

Petitioner/Applicant further states that the quantity of the substance which resulted in the conviction was:

☐ Not more than 28.5 grams of marijuana not in the form of concentrated cannabis;

☐ Not more than 4 grams of marijuana in the form of concentrated cannabis;

☐ Not more than 8 grams of marijuana in the form of concentrated cannabis;

☐ Not more than 6 marijuana plants.

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CASE NUMBER:

### CONVICTION B:

On \_\_\_\_\_ (date), Petitioner/Applicant, the defendant in the above-entitled criminal action, was convicted of the following Health and Safety Code section ☐ 11357 ☐ 11358 ☐ 11359 ☐ 11360, which has been reclassified under Proposition 64.

Petitioner/Applicant further states that when committing the conduct resulting in the conviction, they were:

☐ 18-20 years old; ☐ 21 years old or older. Date of birth: \_\_\_\_\_

Petitioner/Applicant further states that the nature of the substance which resulted in the conviction was:

☐ Marijuana not in the form of concentrated cannabis; ☐ Concentrated cannabis; ☐ Marijuana plants;

☐ Other: \_\_\_\_\_

Petitioner/Applicant further states that the quantity of the substance which resulted in the conviction was:

☐ Not more than 28.5 grams of marijuana not in the form of concentrated cannabis;

☐ Not more than 4 grams of marijuana in the form of concentrated cannabis;

☐ Not more than 8 grams of marijuana in the form of concentrated cannabis;

☐ Not more than 6 marijuana plants.

## 2. REQUEST FOR RELIEF

### a. ☐ RESENTENCING/DISMISSAL

Petitioner is currently serving the sentence for the crime noted above, and requests the sentence be recalled and that he/she be resentenced or the charge be dismissed as required by law.

Other: \_\_\_\_\_

### b. ☐ REDESIGNATION/DISMISSAL/SEALING

Applicant has completed the sentence for the crime noted above, and requests the sentence be recalled and the conviction be redesignated or dismissed. If the conviction is dismissed, applicant requests the court's record of conviction be sealed.

Other: \_\_\_\_\_

## 3. WAIVER OF HEARING BY ORIGINAL SENTENCING JUDGE

☐ Petitioner/applicant waives the right to have this matter heard by the original sentencing judge. The Presiding Judge of the court may designate any judge to rule on this matter.

## 4. WAIVER OF APPEARANCE

☐ Petitioner/applicant understands there is a right to personally attend any hearing held in this matter. Petitioner/applicant gives up that right; the request may be granted or denied without a hearing or may be heard without his/her appearance.

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 Petitioner or Attorney

\_\_\_\_\_  
Address, Petitioner

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code