

<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SHASTA</b> MAILING ADDRESS: 1500 Court Street, Room 219 STREET ADDRESS: 1500 Court Street, Room 219 CITY AND ZIP CODE: Redding, California 96001	
PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT:	
<b>RESPONSE AND ORDER</b> (Penal Code Section 1170.18)	Case Number:

**DISTRICT ATTORNEY'S RESPONSE**

- Petitioner has completed his/her sentence and is entitled to have  **each of**  **only the following** felony conviction(s) specified in the petition be designated as misdemeanor(s): \_\_\_\_\_.
- Petitioner is currently serving his/her sentence and is entitled to resentencing.  Current custody credits account for the entire misdemeanor sentence and probation should be ordered terminated.
- Petitioner is ***not*** entitled to the relief requested  **as to Counts** \_\_\_\_\_, because (*check all that apply*):
  - The specified offenses are not eligible under Penal Code §1170.18.  The total value of the money, labor, property, or financial documents involved exceeded \$950.
  - Petitioner has at least one prior conviction for an offense under §667(e)(2)(C)(iv), and/or for an offense that requires registration pursuant to Penal Code §290(c).
  - Petitioner poses an unreasonable risk of danger to public safety as defined in PC §1170.18(c). The People request that this matter be set for hearing.

Date: \_\_\_\_\_

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

**ORDER**

- Petition is DENIED.** The offenses specified in the petition shall remain as a felony conviction.
- Petition is GRANTED as requested.** The offenses specified in the petition are ordered designated as a ***misdemeanor*** conviction. Associated allegation(s) are ordered dismissed as to those offenses.
- Petition is GRANTED only as to Count(s)** \_\_\_\_\_. These counts are ordered designated as a misdemeanor conviction. The other count(s) shall remain as a felony conviction.
- As to the counts re-designated as misdemeanors:**
  - Formal Probation  Mandatory Supervision  PRCS  Parole is ordered converted to conditional, revocable release in the community. All terms and conditions shall remain in full force and effect, ***except*** those applicable only to ***formal*** supervision.
- Petitioner has served the maximum sentence allowed by law and probation is ordered terminated.
- Petitioner's  jail  prison sentence is commuted to time served.
- Petitioner **IS ORDERED** to be released from the custody of:
  - Shasta County Sheriff  California Department of Corrections and Rehabilitation (CDCR).
- OTHER:** \_\_\_\_\_

**The relief GRANTED to Petitioner by this ORDER does not permit Petitioner to own, possess, or have in his or her custody or control any firearm or prevent his or her conviction under Chapter 2 (commencing with §29800) of Division 9 of Title 4 of Part 6 of the Penal Code. [§1170.18(k)]**

- The matter is ordered**  **recalled**  **set for resentencing**  **set for further proceedings/hearing** on \_\_\_\_\_, at \_\_\_\_\_ in Dept. \_\_\_\_\_ of the Shasta County Superior Court.

Date: \_\_\_\_\_

\_\_\_\_\_  
Judge of the Superior Court