

**SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF SAN JOAQUIN**

|   |                           |
|---|---------------------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY<br><i>(Name, State Bar number, and address):</i><br><br>TELEPHONE NO.: _____ FAX NO.: _____<br>E-MAIL ADDRESS: _____<br>ATTORNEY FOR (Name): _____   | <b>FOR COURT USE ONLY</b> |
| PEOPLE OF THE STATE OF CALIFORNIA<br>vs.<br>DEFENDANT: _____ DATE OF BIRTH: _____   |                           |
| <b>RESPONSE</b>   |                           |
| <input type="checkbox"/> <b>FOR RESENTENCING</b> (Pen. Code, § 1170.18(a)) <input type="checkbox"/> <b>FOR REDUCTION TO MISDEMEANOR</b> (Pen. Code, § 1170.18(f))   |                           |
| <b>INSTRUCTIONS</b><br><ul style="list-style-type: none"> <li>• Petitioner must complete Petition and indicate whether a request is made for Resentencing or Reduction to Misdemeanor.</li> <li>• Upon filing, petitioner is required to immediately provide notice by providing a copy of the Petition to the District Attorney.</li> <li>• The District Attorney is required to complete the Response, file with the court, and provide notice by providing a copy to the Petitioner.</li> <li>• If the petitioner is currently in County Jail or State Prison related to this case, District Attorney indicates the petitioner is ineligible, or if either the petitioner or District Attorney requests a hearing as provided below, the court will set a hearing and provide notice of the date, time, and location to the petitioner and District Attorney.</li> </ul> | CASE NUMBER: _____        |

**DISTRICT ATTORNEY’S RESPONSE TO PETITION FOR  RECENTENCING  REDUCTION TO MISDEMEANOR**

Having received notice of a petition dated \_\_\_\_\_, the District Attorney responds as follows:

**A.  RESENTENCING**

- The District Attorney has no objection to this petition. Petitioner is entitled to the requested relief.
- A hearing is requested on the resentencing.
- Petitioner is not eligible for the requested relief because *(select all that apply)*:
  - The specified offenses are not eligible under Penal Code § 1170.18.
  - Petitioner has at least one prior conviction for an offense under Penal Code § 667(e)(2)(C)(iv) or for an offense requiring registration pursuant to Penal Code § 290(c).
  - Petitioner poses an unreasonable risk of danger to public safety as defined in Penal Code § 1170.18(c).

**B.  REDUCTION TO MISDEMEANOR**

- The District Attorney has no objection to this petition. Petitioner is entitled to the requested relief.
- The petitioner is not eligible for the requested relief because:
  - The specified offenses are not eligible under Penal Code § 1170.18.
  - The petitioner has at least one prior conviction for an offense under Penal Code § 667(e)(2)(C)(iv) or for an offense requiring registration pursuant to Penal Code § 290(c).

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

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