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| ATTORNEY OR PARTY WITHOUT ATTORNEY  *(Name, State Bar number, and address)*:          TELEPHONE NO.:       FAX NO.:  E-MAIL ADDRESS:  ATTORNEY FOR (Name): | **FOR COURT USE ONLY** |
| PEOPLE OF THE STATE OF CALIFORNIA  vs.  DEFENDANT:       DATE OF BIRTH: |
| **RESPONSE**  **FOR RESENTENCING**  **FOR REDUCTION TO MISDEMEANOR**  (Pen. Code, § 1170.18(a)) (Pen. Code, § 1170.18(f)) |
| **INSTRUCTIONS**   * Petitioner must complete Petition and indicate whether a request is made for Resentencing or Reduction to Misdemeanor. * Upon filing, petitioner is required to immediately provide notice by providing a copy of the Petition to the District Attorney. * The District Attorney is required to complete the Response, file with the court, and provide notice by providing a copy to the Petitioner. * 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. | CASE NUMBER: |

**District Attorney’s Response To PETITION for**  **RESENTENCING**  **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