

PARTY WITHOUT AN ATTORNEY OR ATTORNEY: NAME: FIRM NAME: STREET ADDRESS: CITY: TELEPHONE NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NO. (if applicable): STATE: ZIP CODE: FAX NO.:	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
CASE NAME:		
<b>REQUEST TO REDUCE JUVENILE MARIJUANA OFFENSE</b>		CASE NUMBER:
		Date: Time: Department:

### INSTRUCTIONS

- Use this form if you went to court and were found to have committed a marijuana offense when you were under the age of 18 and you want to reduce the charge on your record. You need to use a different form if you were 18 or older at the time of the offense.
- If you have more than one juvenile marijuana offense:
  - A. Use a separate JV-744 form for each marijuana offense that has a different case number or if you are requesting a different remedy in item 3 or 4.
  - B. Use form JV-744A to list marijuana offenses that have the same case number even if the court decided you violated a marijuana law on a different day. You need to list the date the court made its decision.
- If this form asks for information that you do not have, you can contact your attorney. If you don't have an attorney, the public defender's office or the court in the county where you went to court can probably help you get the information.
- The court will serve this form for you unless you have an attorney. If you have an attorney, he/she must serve the form.
- How to fill out the form without an attorney:
  - A. Put your name and contact information in the box at the top of the form and in number 1 below.
  - B. Put the address of the court from your court papers in the box below your address. This form must be filed in the same county where you went to court for this offense.
  - C. Fill out number 2 about the marijuana offense.
  - D. If you are on probation now for the marijuana offense, also check number 3 to ask the judge to make new dispositional orders (a new sentence) based on the new law. The new orders cannot be worse than your original sentence.
  - E. If you have completed probation for the marijuana offense, check number 4 to ask the judge to change your offense to an infraction. So, if it was a misdemeanor or a felony, it will now be treated like a traffic ticket.
  - F. Your case may be heard by the judge who originally sentenced you or the court will have a different judge hear your request.
  - G. You will not have a hearing (talk to a judge) unless you ask for one. You can check one of the boxes in number 5 if you want the court to set a hearing. If you will need an interpreter, ask for one in number 6.
  - H. You can check number 5(c) if you do not want to come to court if there is a hearing.

For more information about Proposition 64 and filling out this form, go to [www.courts.ca.gov/prop64.htm](http://www.courts.ca.gov/prop64.htm).

For information about record sealing, go to [www.courts.ca.gov/28120.htm](http://www.courts.ca.gov/28120.htm).

### 1. MY INFORMATION

My name is:

I was born on (date):

CASE NAME:	CASE NUMBER:
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## 2. OFFENSE INFORMATION

On (date): \_\_\_\_\_ I was found to come within the jurisdiction of the court under Welfare and Institutions Code section 602 for a violation of Health and Safety Code section (*check all that apply*):

- 11357—Possession of Marijuana
- 11358—Cultivation of Marijuana
- 11359—Possession of Marijuana for Sale
- 11360—Transportation, Distribution, or Importation of Marijuana

Proposition 64 has reclassified this offense as an infraction when committed by a person under the age of 18. At the time of the offense, I was under the age of 18.

- I have attached form JV-744A because I have more than one marijuana offense with this case number.

## 3. REQUEST FOR A NEW DISPOSITIONAL ORDER (RESENTENCING)

- I am currently subject to a dispositional order (on probation) for the marijuana offense in number 2. I request that the dispositional order be recalled and relief be granted in accordance with Health and Safety Code section 11361.8(b) so that I will be resentenced.

## 4. REQUEST FOR REDESIGNATION

- I am no longer a ward of the court (completed probation) for the marijuana-related offense in number 2. I request the court's dispositional order be recalled and in accordance with Health and Safety Code section 11361.8(f). The offense will be redesignated as an infraction (treated like a traffic ticket).

## 5. REQUEST FOR HEARING/WAIVER OF APPEARANCE

- a.  I request a hearing if the prosecuting agency opposes my request. I understand that if I check this box, the court will hold a hearing only if the prosecution agency disagrees with my request.
- b.  I request that the court hold a hearing even if my request is not opposed by the prosecution agency.
- c.  I understand that I have a right to attend any hearing about my request and argue on my behalf. I give up that right. The case may be heard without my presence.

## 6. REQUEST FOR INTERPRETER

- If there is a hearing, I will need a (*language*) \_\_\_\_\_ interpreter.

## 7. WAIVER OF HEARING BY ORIGINAL SENTENCING JUDGE

- I waive the right to have the judge who originally sentenced me hear my request. I understand that if I don't waive this right, I will not have the hearing in front of the original judge if he/she is unavailable.

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



SIGNATURE OF PETITIONER

## INSTRUCTIONS - AFTER YOU COMPLETE THIS FORM

File this form with the court. The court will send a copy to the probation department and to the prosecuting agency.