

CR-430**Petition for Dismissal—Incarcerated
Individual Hand Crew or Institutional
Firehouse Participant**

Clerk stamps date here when form is filed.

Before using this form, read *Information on Filing a Petition for Dismissal—Incarcerated Individual Hand Crew or Institutional Firehouse Participant* (form CR-430-INFO), available at www.courts.ca.gov/forms.

A copy of this petition must be served on the prosecuting attorney and a proof of service must be filed with the court (you may use *Proof of Service* (form CR-106), available at www.courts.ca.gov/forms).

Note to petitioner: Your conviction may have already been automatically dismissed by the California Department of Justice (DOJ) under Penal Code section 1203.425. If so, this petition may be unnecessary—but there may be additional benefits to filing it with the court. If you want to know if your conviction has already been dismissed, you can request your Record of Arrest and Prosecution (RAP) sheet from the DOJ, but this is not required.

1 Petitioner's Information

a. Your Full Name: _____

Date of birth: _____ (mm/dd/yyyy)

Your Lawyer (*if you have one for this case*):

Name: _____ State Bar No.: _____

Firm Name: _____

Local Identifying Number (*if known*): _____

CDCR No. (*while in fire camp or institutional firehouse, if known*): _____

Name of fire camp or institutional firehouse (*if known*): _____

Approximate dates in fire camp or institutional firehouse (*if known*): _____ to _____
(month/year) to _____ (month/year)

b. Your Address (*If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead.*)

Street: _____

City: _____ State: _____ Zip: _____

Telephone: _____

Email Address: _____

2 Eligibility for relief under Penal Code section 1203.4b

a. Petitioner was not convicted of any of the following offenses: murder; kidnapping; rape (as defined in Penal Code section 261(a)(2), (a)(6), or Penal Code section 262(a)(1), (a)(4)); lewd acts on a child under 14 years of age (as defined in Penal Code section 288); any felony punishable by death or imprisonment in the state prison for life; any sex offense requiring registration under Penal Code section 290; escape from a secure perimeter within the previous 10 years; or arson.

Fill in court name and street address:

Superior Court of California, County of**People of the State of California v.
Defendant:****Case Number:***For Court use only:***Date:****Time:****Department:**

- 2 b. While serving a sentence in this case, petitioner successfully participated as a member of (*check one*):
- (1) An incarcerated individual hand crew in the California Conservation Camp program (fire camp operated by the California Department of Corrections and Rehabilitation);
 - (2) An incarcerated individual hand crew in a county fire camp program
(name of county): _____; or
 - (3) An institutional firehouse (*name of institution*): _____.
- c. Petitioner adequately performed the hand crew or institutional firehouse duties and did not engage in any conduct that warranted removal from the program.
- d. Petitioner has been released from custody and has no pending criminal charges.
- e. In this case number: _____, petitioner is currently (*check one*):
 on probation on parole on supervised release not on supervision.
- f. Petitioner requests early termination of: probation parole supervised release.
- g. Petitioner requests permission to withdraw the plea of guilty or nolo contendere, or that the verdict or finding of guilt be set aside and a plea of not guilty be entered, and that the court dismiss this action in its discretion and in the interests of justice under Penal Code section 1203.4b.

(Please note: You may explain why granting a dismissal would be in the interests of justice. You can provide that information by writing in the space below or by attaching a letter or other relevant documents. If you need more space for your writing, you can use Attachment (form MC-025) or Attached Declaration (form MC-031) (which is signed under penalty of perjury) and attach it to this petition.)

Date: _____

Type or print your name

Signature of Petitioner or Attorney