

Superior Court of California, County of San Francisco

PEOPLE OF THE STATE OF CALIFORNIA

v.

Defendant:

, S.F. No.:

For Court Use Only

MOTION FOR RELIEF AND ORDER (Health & Safety Code, § 11361.8)

☐ FOR **DISMISSAL AND SEALING** (H&S § 11361.8(b))

SCN:

MCN:

CONVICTION INFORMATION:

The defendant in the above-entitled criminal action, was convicted of an INFRACTION or MISDEMEANOR offense of the following Health & Safety Code section which has been reclassified under Proposition 64:

- ☐ 11357(a) – Possession of Concentrated Cannabis
- ☐ 11357(b) – Possession of Marijuana
- ☐ 11357(c) – Possession of Marijuana
- ☐ 11360(b) – Give Away or Transport Marijuana
- ☐ Other Charges following Health & Safety Code section (not listed above) : _____.

PROSECUTING ATTORNEY'S REQUEST FOR DISMISSAL AND SEALING:

- ☐ Defendant has completed his/her sentence in the above captioned case. Defendant is entitled to dismissal relief pursuant to Health & Safety Code § 11361.8(e) because the conviction is now legally invalid.
- ☐ The People further request that this arrest and record of conviction be sealed pursuant to Health & Safety Code § 11361.8(f).

Executed on: _____

Signature of Assistant District Attorney

ORDER

- ☐ The Court **DENIES** the motion.
- ☐ The Court **GRANTS** the motion and issues the following orders:
 - ☐ The Court dismisses the charge because the conviction is now legally invalid pursuant to Health & Safety Code § 11361.8(e)/(f).
 - ☐ Defendant is relieved from the requirement to register as a narcotics offender under Health & Safety Code § 11590, to the extent it was required by the conviction that has been dismissed by this order.
 - ☐ Defendant's record of arrest and conviction is ordered sealed. No access to the information shall be permitted without court order. (Health & Safety Code § 11361.8(f)).

Executed on: _____

Judge of the Superior Court

CLERK'S CERTIFICATE

The foregoing document, consisting of ____ page(s), is a full, true and correct copy of the ☐original ☐copy on file in this office.

Clerk of the Superior Court

Date: _____

By _____