

ATTORNEY OR PARTY WITHOUT ATTORNEY: NAME: FIRM NAME: CITY: STATE: ZIP CODE: TELEPHONE NO.: Fax No.: E-MAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NO.	FOR COURT USE ONLY
PEOPLE OF THE STATE OF CALIFORNIA V. DEFENDANT: <u>Date of Birth:</u>		CASE NUMBER: DISTRICT ATTORNEY NO. RELATED CASES NOS:
PETITION/APPLICATION - ADULT CRIMES (Health and Safety Code §11361.8) <input type="checkbox"/> FOR RESENTENCING OR DISMISSAL (H&S §11361.8(a)) <input type="checkbox"/> REDESIGNATION OR DISMISSAL/ SEALING (H&S 11361.8(e))		
<p>The "Control, Regulate and Tax Adult Use of Marijuana Act," commonly known as the "Adult Use of Marijuana Act" ("the Act"), was adopted by voters on November 8, 2016. This form is to be used to obtain relief under the Act in connection with the following offenses: H&S §§11357, 11358, 11359, 11360, 11362.1, 11362.2, 11362.3, and 11362.4.</p> <p style="text-align: center;">INSTRUCTIONS</p> <ul style="list-style-type: none"> • Please use ONE FORM PER CASE. Do not combine multiple cases on a single form. • Petitioner/applicant will be notified if a formal hearing on the petition/application is scheduled. • Please complete all sections, as appropriate. If you have more than two convictions to be addressed by the court, please attach information concerning the additional convictions to the petition/application. • Upon the filing of the petition/application, the petitioner/applicant is required to immediately serve the office of the prosecuting agency (the district attorney or city attorney, as appropriate) with a copy of the petition/application. It may be served personally or by mail. A signed Proof of Service must be filed with the court. 		

1. CONVICTION INFORMATION

Count:	Offense:	Date of Offense:

On (date): _____, Petitioner/Applicant, the defendant in the above-entitled criminal action, was convicted of the identified Health and Safety Code section, which has been reclassified under the Act.

Petitioner/Applicant further states that when committing the conduct resulting in the conviction he/she was:
 18 to 20 years of age; 21 years old or older.

Petitioner/Applicant further states that the nature of the substance which resulted in the conviction was:
 marijuana not in the form of concentrated cannabis; concentrated cannabis; marijuana plants;
 other:

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Petitioner/Applicant further states that the quantity of the substance which resulted in the conviction was:

not more than 28.5 grams of marijuana not in the form of concentrated cannabis; not more than 4 grams of marijuana in the form of concentrated cannabis; not more than 8 grams of marijuana in the form of concentrated cannabis; not more than 6 marijuana plants.

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Petitioner/Applicant further states that the nature of the substance which resulted in the conviction was:

marijuana not in the form of concentrated cannabis; concentrated cannabis; marijuana plants; other:

Petitioner/Applicant further states that the quantity of the substance which resulted in the conviction was:

not more than 28.5 grams of marijuana not in the form of concentrated cannabis; not more than 4 grams of marijuana in the form of concentrated cannabis; not more than 8 grams of marijuana in the form of concentrated cannabis; not more than 6 marijuana plants.

Additional Conviction Information Attached

2. REQUEST FOR RELIEF

A. RESENTENCING/DISMISSAL

Petitioner is currently serving the sentence for the crime noted above, and requests the sentence be recalled and that he/she be resentenced or the charge be dismissed as required by law.

Other:

B. REDESIGNATION/DISMISSAL/SEALING

Applicant has completed the sentence for the crime noted above, and requests the sentence be recalled and the conviction be redesignated or dismissed. If the conviction is dismissed, applicant requests the court's record of conviction be sealed.

Other:

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3. **WAIVER OF APPEARANCE:** Petitioner/applicant understands there is a right to personally attend any hearing in this matter. Petitioner/application further understands that a contested hearing may occur in connection with this matter at which testimony and other evidence will be considered by the court. Petitioner/applicant gives up the right to appear at all preliminary and contested hearings conducted by the court in connection with this matter. Petitioner/applicant agrees to have all hearings related to this matter heard by the court without his/her appearance.

Dated:

Signature of petitioner/applicant

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PETITION/APPLICATION - ADULT CRIMES
(Health and Safety Code §11361.8)
ATTACHMENT

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