

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF _____

In the Matter of the Application of

_____ No. _____
(Print your name legibly)

For a Certificate of Rehabilitation
and Pardon

PETITION FOR CERTIFICATE OF REHABILITATION AND PARDON

To the Honorable Superior Court of the State of California, in and for the county of

_____ :

The petition of _____ hereby respectfully
(Fill in your name)
represents and shows that:

I.

(Complete this paragraph only with respect to your most recent felony conviction)

On or about _____, _____ I was convicted of the
felony of _____ in the
(State crime and code section if you know it)

County of _____, State of California. My sentence for
this offense was (check appropriate box): [] commitment to state prison or other state institution
at _____ ; [] probation with
a suspended sentence to state prison or other state institution.

Thereafter, on or about _____, _____, I was
(date of release from actual custody)

(check appropriate box): discharged from state prison or other state institution after completing my sentence;
 released on parole, from which I was finally discharged on _____
 _____, _____. released from custody on probation or after serving a jail sentence
 as part of my probation, successfully completed my probation on _____
 _____, _____, and obtained relief under Penal Code section 1203.4 on _____
 _____, _____.

Note 1

(Complete this section with respect to your second most recent felony conviction, if any.)

On or about _____, _____ I was convicted of the
 felony of _____, in the
(State crime and code section if you know it)
 County of _____, State of California. My sentence for this
 offense was (check appropriate box): commitment to state prison or other state institution
 at _____; probation with
 a suspended sentence to state prison or other state institution.

Thereafter, on or about _____, I was
(date of release from actual custody)

(check appropriate box): discharged from state prison or other state institution after completing my
 sentence; released on parole, from which I was finally discharged on _____
 _____, _____; probation or after serving a jail sentence as part of my probation,
 successfully completed my probation on _____, _____ and
 obtained relief under Penal Code section 1203.4 on _____,
 _____.

Note 2

(Complete this section with respect to your third most recent felony conviction, if any.)

On or about _____, _____, I was convicted of the
 felony of _____, in the
(State crime and code section if you know it)
 County of _____, State of California. My sentence for this
 offense was (check appropriate box): commitment to state prison or other state institution at
 _____; probation with a
 suspended sentence to state prison or other state institution.

Thereafter, on or about _____, _____ I was
(date of release from actual custody)

(check appropriate box): [] discharged from state prison or other state institution after completing my sentence; [] released on parole, from which I was finally discharged _____
_____, _____; [] released from custody on probation or after serving a jail sentence as part of my probation, successfully completed my probation on _____, _____, and obtained relief under Penal Code section 1203.4 on _____, _____.

(If you have suffered more than three felony convictions, attach additional sheet following the same format used in paragraph 1.)

II.

I am now a resident of the State of California and I have continuously resided in the State of California from _____, _____ to the present date.

III.

During the period of my rehabilitation, I have lived an honest and upright life, conducted myself with sobriety and industry, and exhibited good moral character; I have conformed to and obeyed all the laws of the land.

WHEREFORE, Your petitioner prays that the Court make its order and decree declaring that the petitioner has been rehabilitated, and for a Certificate of Rehabilitation recommending that the Governor of the State of California grant petitioner a full pardon; and that for such purpose a time be appointed for the hearing of the foregoing petition, and that all other and necessary proper orders may be made in the premises.

DATED _____, _____

(SIGN YOUR NAME HERE) _____

(Petitioner)

(Residence address)

INSTRUCTIONS

- (a) Prepare this Petition, sign your name, and file it with the County Clerk.
- (b) In every case, you must have resided continuously for three years in the State prior to filing the petition. If you were discharged or released on parole after May 13, 1943, or if you were released on felony probation, at least three years must have elapsed before you can file for a Certificate of Rehabilitation. In addition to such three-year period there must be added thereto thirty days for each year of the term prescribed by statute as the maximum possible penalty of imprisonment for each offense for which you were sentenced. If you were sentenced to concurrent terms the greatest possible maximum for any such offenses shall constitute the maximum for the purpose of computing the period of rehabilitation. However, if you received any sentence with a maximum possible penalty of more than fifty years, or if the sum of the maximum possible penalties on consecutive terms is more than fifty years, the law allows you to calculate the additional period of residence as if the maximum possible penalty were only fifty years.
- (c) If you were released on parole or probation, or if you were discharged from custody prior to May 13, 1943, you may file a Petition for a Certificate of Rehabilitation and Pardon if you have resided in the State continuously for three years prior to the filing of such Petition. However, your parole or probation must have terminated. If you were required to serve jail time as part of your felony probation, the three year period does not begin to run until your actual release from custody.
- (d) If you were released on felony probation and successfully completed that probation, you must obtain relief under Penal Code section 1203.4 before applying for a Certificate of Rehabilitation.
- (e) You are entitled to be represented by an attorney of your own selection, or if you have none, by the public defender. If there is no public defender in the county, by a state parole officer, or by anyone assigned to you by the court.
- (f) It is unlawful for anyone, other than a licensed attorney, to accept any fee, money or anything of value for their services in representing you in this proceeding.
- (g) You are not required to pay filing fees of any kind in connection with this proceeding.
- (h) If the county is San Francisco, insert the words "City and in front of the word "County."
- (i) When the Court sets a hearing date on your Petition, you are required to give notice of that date at least thirty days before the hearing. You must formally notify the District Attorney for each county in which you have been convicted, and the Governor's Office.
- (j) A Certificate of Rehabilitation is not an automatic pardon; it is only an automatic application for a pardon.

Law reference: Sections 1203.4 and 4852.01 to 4852.21 inclusive, Penal Code of California

This form prepared under direction of the office of the Attorney General of the State of California