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| ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (<i>Name</i>): _____ | FOR COURT USE ONLY |
| PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT: _____ DATE OF BIRTH: _____ | CASE NUMBER: _____ |
| PETITION FOR DISMISSAL (Pen. Code, §§ 17(b), 1203.4, 1203.4a) | FOR COURT USE ONLY Date: _____ Time: _____ Department: _____ |

1. On (*date*): _____, the defendant in the above-entitled criminal action was convicted of a violation of the following (*specify code(s) and section(s)*):

2. The offense was a misdemeanor felony infraction.
 Felony offense (*Pen. Code, § 17(b)*):
 The offense listed above is a felony that may be reduced to a misdemeanor under Penal Code section 17.

3. Offense with probation granted (*Pen. Code, § 1203.4*):
 Probation was granted on the terms and conditions set forth in the docket of the above-entitled court; the defendant is not serving a sentence for any offense, nor on probation for any offense, nor under charge of commission of any crime, and the defendant (*check all that apply*):
 - a. has fulfilled the conditions of probation for the entire period thereof;
 - b. has been discharged from probation prior to the termination of the period thereof;
 - c. should be granted relief in the interests of justice. (*Please note: You must explain why granting a dismissal would be in the interests of justice by completing and attaching the optional Attached Declaration (form MC-031).*)

4. Offense with sentence other than probation (*Pen. Code, § 1203.4a*):
 Probation was not granted; more than one year has elapsed since the date of pronouncement of judgment. The defendant has complied with the sentence of the court and is not serving a sentence for any offense nor under charge of commission of any crime; and the defendant (*select one*):
 - a. has lived an honest and upright life since pronouncement of judgment and conformed to and obeyed the laws of the land; or
 - b. should be granted relief in the interests of justice. (*Please note: You must explain why granting a dismissal would be in the interests of justice by completing and attaching the Attached Declaration (form MC-031).*)

Petitioner requests that defendant be permitted to withdraw the plea of guilty, or that the verdict or finding of guilt be set aside and a plea of not guilty be entered and the court dismiss this action under section 1203.4 or 1203.4a of the Penal Code.

Petitioner requests that the felony charge be reduced to a misdemeanor under Penal Code section 17(b).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on: _____ (DATE) _____ (SIGNATURE OF PETITIONER OR ATTORNEY)

 (ADDRESS, DEFENDANT) (CITY) (STATE) (ZIP CODE)