

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

- On (date): _____, the defendant in the above-entitled criminal action was convicted of a violation of the following (specify code(s) and section(s)):
- 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.
- 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):
 - has fulfilled the conditions of probation for the entire period thereof;
 - has been discharged from probation prior to the termination of the period thereof;
 - 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).)
- 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):
 - has lived an honest and upright life since pronouncement of judgment and conformed to and obeyed the laws of the land; or
 - 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)