

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, Address, Telephone No., Email)</i>  ATTORNEY FOR <i>(Name)</i> : _____ Bar No.: _____	<b>COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE</b> JUSTICE CENTER: <input type="checkbox"/> Central – 700 Civic Center Drive West, Santa Ana, CA 92701-4045 <input type="checkbox"/> Harbor – 4601 Jamboree Road, Newport Beach, CA 92660-2595 <input type="checkbox"/> North – 1275 North Berkeley Avenue, Fullerton, CA 92832-1258 <input type="checkbox"/> West – 8141 13 <sup>th</sup> Street, Westminster, CA 92683-4593	
People of the State of California <p style="text-align: center;">vs. People of the State of California</p> Defendant: _____	
<b>PETITION FOR RELIEF (INMATES TRAINED AS FIRE FIGHTERS)          PURSUANT TO PENAL CODE SECTION 1203.4b</b>	Case Number(s): _____ Driver's License: _____ Date of Birth: _____

1. I am the  Defendant  Attorney for Defendant in the above-entitled action.
2. On the date(s) of \_\_\_\_\_, the defendant was convicted of the following offense(s)/violation of section(s):  
*(List All)* \_\_\_\_\_
3. **Petitioner / Defendant declares:**  
 The defendant was sentenced in Orange County and is not currently charged with the commission of any other offense.  
 The defendant **never** been convicted of any of the following crimes: Murder; Kidnapping; Rape; as defined in Penal Code section 261(a)(2) or (6) or Penal Code section 262(a)(1) or (4); Lewd acts on a child under 14 years of age, as defined in Penal Code 288; any felony punishable by death or imprisonment in the state prison for life; any sex offense requiring registration pursuant to Penal Code 290; Escape from a secure perimeter within the previous 10 years; or Arson.  
 While in custody for the crimes/convictions listed in item 2, the defendant successfully participated in the California Conservation Camp program or an Institutional Firehouse Program as an incarcerated individual hand crew member, as determined by the Secretary of the Department of Corrections and Rehabilitation and has been released from custody.  
 Conservation Camp or an Institutional Firehouse Program: Training date: \_\_\_\_\_ Completion date: \_\_\_\_\_  
 While in custody for the crimes/convictions listed in item 2, the defendant successfully participated as a member of a county incarcerated individual hand crew, as determined by the appropriate county authority, and has been released from custody.  
 County incarcerated individual hand crew: Training date: \_\_\_\_\_ Completion date: \_\_\_\_\_  
 The defendant is currently on  Parole Supervision  Probation Supervision  Supervised Release.  
 The defendant has not violated any terms or conditions of that supervision or release prior to and during the pendency of the petition for relief and requests that supervision be terminated.
4. **The defendant requests:**  
 that the court permit the defendant to withdraw the plea of guilty or plea of nolo contendere and enter a plea of not guilty.  
 having been convicted after a plea of not guilty, that the court set aside the verdict of guilt.
5. The defendant requests that the court dismiss the accusations or information against the defendant, and the defendant thereafter be released from all penalties and disabilities resulting from the offense(s) of which the defendant has been convicted (See Item 2), except as provided in Section 13555 of the Vehicle Code.
6. **I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.**  
 Date: \_\_\_\_\_

\_\_\_\_\_  
*(Type or print name)*
\_\_\_\_\_  
*(Signature of Petitioner)*

---

**People's Response**

The People Submit to the Court's Discretion

The People Object to this Petition (see attached Response)

\_\_\_\_\_  
(Type or print name – Attorney for the People)

\_\_\_\_\_  
(Signature of Attorney for The People)

---

**COURT ORDER**

Having received and reviewed *certification* by the Secretary of the Department of Corrections and Rehabilitation or the appropriate county authority that the defendant/petitioner successfully participated in the California Conservation Camp program or an Institutional Firehouse Program as an incarcerated individual hand crew member, as a member of a county incarcerated individual hand crew and has been released from custody:

The Court **GRANTS** the petition, and it is ordered:

That the defendant/petitioner be permitted to withdraw the plea(s) of guilty or plea(s) of nolo contendere for the convictions listed in Item 2 and enter a plea(s) of not guilty.

That the verdict of guilty for the conviction(s) in Item 2 be set aside.

That the accusations or information(s) related to the crimes listed in Item 2 be dismissed against the defendant/petitioner, and the defendant/petitioner shall thereafter be released from all penalties and disabilities resulting from the offense of which the defendant has been convicted, except as provided in Section 13555 of the Vehicle Code.

The Court orders parole, probation, or supervised release terminated.

The Court reviewed the previously ordered restitution and deems it a Civil Judgment pursuant to Penal Code section 1214(b).

Defendant / Petitioner is informed:

- that in any subsequent prosecution of the defendant for any offense, the prior conviction(s) subject to this order may be pleaded and proved and shall have the same effect as if the accusation or information had not been dismissed.
- that this order does not relieve the defendant of the obligation to disclose the conviction in response to any direct question contained in any questionnaire or application for public office, the Commission on Teacher Credentialing, a peace officer, for licensure by any state or local agency or federally recognized tribe, or for contracting with the California State Lottery Commission.
- that dismissal of an accusation or information pursuant to this section does not permit a person to own, possess, or have in the person's custody or control any firearm or prevent their conviction under Chapter 2 (commencing with Section 29800) of Division 9 of Title 4 of Part 6.
- that dismissal of an accusation or information underlying a conviction pursuant to this section does not permit a person prohibited from holding public office as a result of that conviction to hold public office.
- that this order does not relieve the defendant of previously ordered victim restitution.
- That any unexpired criminal protective orders that have been issued by the court shall remain in full effect until expiration or until any further order by the court modifying or terminating the order, despite the dismissal or the granting of conviction record relief, of the underlying accusation or information.

The Court **DENIES** the petition without prejudice.

Matter is set for hearing at 9:00 am on \_\_\_\_\_ in Dept \_\_\_\_\_.

Date: \_\_\_\_\_

\_\_\_\_\_  
(Judicial Officer of the Superior Court)