

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, Address, Telephone No., Email)</i>	FOR COURT USE ONLY
ATTORNEY FOR <i>(Name)</i> : _____ Bar No.: _____ <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE</b> JUSTICE CENTER: <input type="checkbox"/> Central - 700 Civic Center Dr. West, Santa Ana, CA 92701 <input type="checkbox"/> Harbor-Newport Beach - 4601 Jamboree Rd., Newport Beach, CA 92660 <input type="checkbox"/> North - 1275 N. Berkeley Ave., P. O. Box 5000, Fullerton, CA 92838-0500 <input type="checkbox"/> West - 8141 13th Street, Westminster, CA 92683	
<b>PEOPLE OF THE STATE OF CALIFORNIA</b> vs. Defendant: _____	
<b>PETITION FOR DISMISSAL UNDER PENAL CODE 1203.43</b>	Case Number: Driver's License: Date of Birth:

1. I am the  Defendant  Attorney for the defendant in the above-entitled action.
  
2. On the date of \_\_\_\_\_, the following offense(s)/violation of section(s) was/were dismissed pursuant to Penal Code 1000.4 *(list all)*:  
 \_\_\_\_\_
  
3. **Petitioner declares:**  
 The petitioner has performed satisfactorily during the period in which deferred entry of judgment was granted, and for whom the criminal charge or charges were dismissed pursuant to Penal Code 1000.4.
  
4. Petitioner requests that the original guilty plea be declared constitutionally invalid pursuant to Penal Code 1203.43(a), a plea of not guilty be entered, and charge(s) dismissed pursuant to Penal Code 1203.43(b).
  
5. 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)*

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, Address, Telephone No, Email)  ATTORNEY FOR (Name) _____ Bar No. _____	<i>FOR COURT USE ONLY</i>
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<b>PEOPLE OF THE STATE OF CALIFORNIA</b>  VS.  Defendant: _____	
<b>PROOF OF SERVICE</b>  <input type="checkbox"/> <b>PERSONAL SERVICE</b> <input type="checkbox"/> <b>SERVICE BY MAIL</b>	Case Number: _____

This is a proof of service of a Petition for Dismissal under Penal Code 1203.43.

**DIRECTIONS:** A copy of this petition must be served upon the District Attorney or City Attorney who prosecuted your case. Mail the front and back of each page of this document to the District Attorney or City Attorney who prosecuted the case. When the petition has been served, the original may then be filed with the court.

1. Person serving. I am over the age of 18 and not a party to this action.  
 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_
  
2. I served a copy of the Petition for Dismissal under Penal Code 1203.43 as follows (check either *a* or *b* below):
  - a.  **Personal Service:** I personally delivered the Petition for Dismissal under Penal Code 1203.43 to the person at the address listed below:
    - (1) Name of person served: \_\_\_\_\_
    - (2) Address where served: \_\_\_\_\_
    - (3) Date served: \_\_\_\_\_
    - (4) Time served: \_\_\_\_\_
  - b.  **Service by Mail:** I deposited the Petition for Dismissal under Penal Code 1203.43 in the United States mail, in a sealed envelope with postage fully prepaid. The envelope was addressed as follows:
    - (1) Name of person served: \_\_\_\_\_
    - (2) Address: \_\_\_\_\_
    - (3) Date of Mailing: \_\_\_\_\_
    - (4) Place of Mailing (city and state): \_\_\_\_\_

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 Declarant)*