

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, Address, Telephone No., Email</i>): ATTORNEY FOR (NAME): _____ Bar No.: _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE	
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 th Street, Westminster, CA 92683-4593	
People of the State of California	
Defendant	
PETITION FOR RECALL AND RESENTENCING / DISMISSAL AND SEALING NOTICE OF HEARING AND COURT ORDER (PEN. CODE § 653.29)	
Case Number(s): _____	

I am the defendant attorney for the defendant in the above-entitled action.

The defendant/petitioner declares:

The defendant is currently serving a sentence imposed on _____ for the total term of _____ in the Orange County Jail California Department of Corrections and Rehabilitation. The defendant was convicted of Penal Code section 653.22 which now qualifies for relief pursuant to Penal Code section 653.29. Accordingly, defendant requests that the Court:

- Recall and resentence the defendant. Vacate the conviction and dismiss the sentence and seal the case.
- The defendant has served the sentence and requests immediate release from custody.
- The defendant to remain in-custody to serve the remainder of the sentence as to other counts.

The defendant waives resentencing hearing requests to appear remotely

authorizes Penal Code section 977(a) appearance.

requests to be transported from jail/state prison: _____ . CDCR#: _____

The defendant/petitioner declares:

The defendant has completed the sentence for a conviction for violating Penal Code section 653.22 which now qualifies for relief pursuant to Penal Code section 653.29. Accordingly, the defendant requests the Court to:

- Dismiss the conviction as it is legally invalid. and seal the case.

Date: _____
Type or Print Name Signature of Defendant/ Attorney for Defendant

The People's response:

- The People agree and do not oppose the relief requested above. The People oppose relief and request a hearing.

Date: _____
Type or Print Name – Attorney for the People Signature of Attorney for the People

COURT ORDER

- Pursuant to Penal Code section 653.29 the Court orders the defendant's case recalled for resentencing
 count dismissed and sealed.

The Defendant is to:

- be released from custody forthwith remain in-custody to serve the balance of the sentence as to this case.
- The matter is hereby set on _____ at _____ for a hearing regarding resentencing
 the People's opposition to relief in Dept. _____ Transportation order issued.

Date: _____
Signature of Judicial Officer of the Superior Court