ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (*name*):	*FOR COURT USE ONLY*
PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT:	CASE NUMBER:
PETITION/APPLICATION FOR RESENTENCING AND DISMISSAL (Pen. Code, § 1170.22)	*FOR COURT USE ONLY* DATE: TIME: DEPT:

1. **CONVICTION INFORMATION**

   ☐ Petitioner/applicant was convicted of a violation of Penal Code section 647f in the above-captioned case.

2. **REQUEST**

   ☐ PETITION: Petitioner is currently serving a sentence in the above-captioned case and now requests the court to recall, resentence, or dismiss and vacate the conviction.

   OR

   ☐ APPLICATION: Applicant has completed his or her sentence in the above-captioned case and now requests the court to dismiss and vacate the conviction as invalid under Penal Code sections 1170.21 and 1170.22(e).

3. **CONSENT TO HEARING BY ANY JUDGE** *(optional)*

   ☐ Petitioner/applicant waives the right to have this matter heard by the original sentencing judge. Petitioner/applicant consents to having the presiding judge of the court designate any judge to rule on this matter.

4. **WAIVER OF APPEARANCE** *(optional)*

   ☐ Petitioner/applicant understands there is a right to personally attend any hearing held in this matter. Petitioner/applicant gives up that right; the matter may be heard without his or her appearance.

Date:

_____ (TYPE OR PRINT NAME)

▶ _____ (SIGNATURE OF PETITIONER/APPLICANT)

Form Approved for Optional Use
Judicial Council of California
CR-404 [New January 1, 2019]

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