

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO		<i>FOR COURT USE ONLY</i>
<input type="checkbox"/> CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101 <input type="checkbox"/> EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020 <input type="checkbox"/> NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081 <input type="checkbox"/> SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910		
PLAINTIFF PEOPLE OF THE STATE OF CALIFORNIA		
DEFENDANT		SUPERIOR COURT CASE NUMBER
PETITION FOR DISMISSAL – ORDER (PEN. CODE, § 1203.4b)		DA/CA CASE NUMBER

ORDER GRANTING

After reviewing the petition and records in this case, the court finds as follows:

- The Secretary of the California Department of Corrections and Rehabilitation (CDCR) certified to the court that the petitioner successfully participated as a hand crew member in the CDCR incarcerated individual Conservation Camp Program or at an institutional firehouse.
- The appropriate county authority certified to the court that the petitioner successfully participated as a member of a county incarcerated individual hand crew.
- The prosecuting agency was given 15 calendar days' notice of the petition for relief.
- It is in the interest of justice to dismiss the accusations or information against the petitioner and release the petitioner from all penalties and disabilities resulting from the offense of which the petitioner has been convicted, except as provided below.

Based on the above, the petition is GRANTED. It is hereby ordered that petitioner's previously entered plea of guilty or nolo contendere be withdrawn and a plea of not guilty entered; or, if petitioner was convicted after a plea of not guilty, the verdict of guilt be set aside. The accusation or information against the petitioner is dismissed and the petitioner is released from all penalties and disabilities resulting from the offense of which petitioner had been convicted, except as follows:

- Dismissal does not affect any revocation or suspension of petitioner's driver license resulting from the conviction pursuant to Vehicle Code section 13555.
 - Dismissal does not release petitioner from the terms and conditions of any unexpired criminal protective order that has been issued by the court pursuant to Penal Code sections 136.2(i)(1), 273.5(j), 368(l), or 646.9(k).
 - Petitioner must still disclose the conviction in response to any direct question in any questionnaire or application for licensure by the California Commission on Teacher Credentialing, for a position as a peace officer, for public office, or for contracting with the California State Lottery Commission.
 - Petitioner may still be prohibited from owning, possessing, or having in the petitioner's custody or control any firearm pursuant to Penal Code section 29800 et seq.
 - Petitioner may still be prohibited from holding public office as a result of the dismissed conviction.
 - In any subsequent prosecution, this conviction may have the same effect as if the accusation or information had not been dismissed.
- The petitioner has not violated any terms or conditions of probation, parole, or supervised release prior to, and during the pendency of, the petition for relief under Penal Code section 1203.4b. The court orders early termination of (*check one*):
 probation parole supervised release.

ORDER DENYING

After reviewing the petition and records in this case, the petition is DENIED for the following reasons:

- Petitioner's conviction is for an offense that is ineligible for relief under Penal Code section 1203.4b(a)(1)(A)–(H).
 - Petitioner is in custody.
 - Petitioner is currently charged with the commission of another offense.
 - The Secretary of the CDCR did not certify to the court that the petitioner successfully participated as a hand crew member in the CDCR incarcerated individual Conservation Camp Program, or at an institutional firehouse; or the appropriate county authority did not certify to the court that the petitioner successfully participated in the county incarcerated individual hand crew program.
 - Petitioner was not serving a sentence for this conviction at the time of participation in fire camp or at an institutional firehouse.
 - The prosecuting agency was not given 15 calendar days' notice of the petition for relief.
 - The court finds that granting relief would not serve the interest of justice because: _____
- _____

- Other: _____

IT IS SO ORDERED.

Date: _____

 Judge of the Superior Court