



## SUPERIOR COURT OF CALIFORNIA, COUNTY OF YOLO

YOLO COUNTY COURTHOUSE, 725 COURT STREET, WOODLAND, CA 95695

### GENERAL INFORMATION FOR PETITIONS FOR RECALL OF SENTENCE or APPLICATION TO HAVE FELONY DESIGNATED AS MISDEMEANOR

PENAL CODE SECTION 1170.18

Forms	<p>The court has two new forms that can be used to petition the court for recall of sentence or to apply to have a felony conviction designated as a misdemeanor.</p> <p>“Petition for Recall of Sentence or Application to Have Felony Designated as Misdemeanor” (CR-500)</p> <p>“District Attorney’s Response to Petition/Application for Recall of Sentence or to have Felony Designated as Misdemeanor.” (CR-510).</p> <p>Copies of the Petition/Application and the District Attorney’s Response are available at <a href="http://www.yolo.courts.ca.gov/forms-filing">http://www.yolo.courts.ca.gov/forms-filing</a>.</p> <p><b>NOTE:</b> Each felony conviction for which the Petitioner/Applicant is seeking relief must <b>be placed on a separate petition/application</b>.</p>
Process	<p>Petitioner/Applicant must complete the Petition/Application and indicate whether the request is for Resentencing <u>or</u> Reduction to Misdemeanor. A separate Petition/Application must be filed for each conviction the Petitioner/Applicant wants the court to consider. At the time of filing the Petition/Application, the Petitioner/Applicant must also submit a District Attorney’s Response form to the court with the case name and number filled out. The court clerk will then fill in the date that the District Attorney must return the Response form to the court.</p>
	<p>Immediately after filing the Petition/Application and obtaining the District Attorney’s response date from the court clerk, the Petitioner/Applicant is required to provide notice to the parties by serving a copy of the Petition/Application and the original District Attorney’s response on the District Attorney and a copy of the Petition on Probation or Parole if the Petitioner is currently being supervised by either Probation or Parole.</p>
Proof of Service	<p>Petitioner/Applicant must then file proof of service with the court. If Petitioner/Applicant does not immediately provide the Petition/Application and District Attorney’s Response to the District Attorney, the time for the District Attorney’s Response will have to be extended, thereby delaying the court’s decision on Petitioner/Applicant’s request.</p>
	<p>The District Attorney is required to complete the Response and file it by the due date given on the form. The District Attorney shall provide a copy of the completed Response to the Petitioner/Applicant and Probation or Parole as applicable.</p>
	<p>If the Petitioner/Applicant is currently in County Jail or State Prison related to the conviction for which s/he is seeking relief, or if the District Attorney indicates the Petitioner/Applicant is ineligible, or if either the Petitioner/Applicant or District Attorney requests a hearing, the court will set a hearing and provide notice of the date, time, and location to the Petitioner/Applicant and District Attorney.</p>
	<p>If you were represented by court-appointed counsel, they may be able to assist you with this process.</p>
	<p>If you have questions about the status of your case, you may contact the Criminal Division at (530) 406-6705.</p>