



Sacramento Superior Court

Penal Code §§17(b), 1203.3, 1203.4, 1203.4a, 1203.4b, 1203.41, 1203.42, 1203.43

Petition Information and Instruction Sheet

Information – Felony/Misdemeanor

If you were convicted of a misdemeanor or a felony and were not sentenced to state prison and you have completed the terms of your sentence, you may petition for a dismissal pursuant to PC § 1203.4 or 1203.4a. Many criminal offenses can be dismissed from your record.

- For cases originally charged as a misdemeanor, but reduced to an infraction at the time of conviction, follow the instructions in this packet for misdemeanor cases.
- For Traffic cases (charged and convicted as an infraction) you cannot use this process or file your petition at the Criminal Division of the Court. Please contact the Traffic Division of the Superior Court ([Carol Miller Justice Center](#)).
- If you were sentenced for a crime committed prior to implementation of the 2011 Criminal Justice Realignment legislation, you may petition the court for dismissal or relief as if the crime were sentenced under CA PC 1170(h). The court, in its discretion and in the interests of justice, may order relief if all conditions of PC 1203.42(b) are met.

Who is Eligible? *(see next page for PC 1203.4b eligibility)*

Anyone who has paid all court ordered fees, fines, and victim restitution imposed as a condition of probation and meets the following criteria:

- PC 1203.3 – Probation should be granted relief in the interests of justice.
- PC 1203.4 – All conditions of probation have been completed.
- PC 1203.4a, PC 1203.41 – All terms of sentencing have been completed.
- PC 1203.42 – Effective 1/1/2018 the court may order relief if all conditions of PC 1203.42 are met. [Click here for more information](#).
- PC 1203.43 - Petitioner performed satisfactorily during the period in which deferred entry of judgment was granted, and can establish that criminal charge(s) were dismissed under PC 1000.3

Who is Not Eligible? *(see next page for PC 1203.4b eligibility)*

A person is not eligible for a record clearance of this type if any of the following conditions exist:

- The person is serving a sentence for any offense, is still on formal or informal probation for any offense, or is charged with the commission of any offense.
- The person was arrested and convicted of a crime within one year of the pronouncement of judgment.
- Probation for the current application was revoked and not later reinstated.
- The person has failed to appear or failed to pay fines to the Department of Motor Vehicles, or to the Department of Revenue Recovery.
- Violation of Sections 2800, 2801, or 2803 of the California Vehicle Code.
- Certain convictions are not eligible for dismissal. This includes any misdemeanor that is within the provisions of VC 42001(b); or any violation of the following: PC 286(c); PC 288; PC 288a(c); PC 288.5; PC 289(j).

Penal Code § 1203.4b – Eligibility and Non-Eligibility

Who is eligible?

- Any individual who has successfully participated in the California Conservation Camp program as an incarcerated individual hand crew member, as determined by the Secretary of the Department of Corrections and Rehabilitation, or successfully participated as a member of a county incarcerated individual hand crew, as determined by the appropriate county authority. Successful participation is defined as having adequately performed their duties without any conduct that warranted removal from the program.
- The petitioner has been released from custody.
- Completion of the term of probation, parole, or supervised release is not required.

Who is not eligible?

- Incarcerated individuals who have been convicted of any of the following crimes are automatically ineligible for relief pursuant to PC 1203.4b(a)(1):
 - (A) Murder
 - (B) Kidnapping
 - (C) Rape as defined in paragraph (2) or (6) of subdivision (a) of Section 261 or paragraph (1) or (4) of subdivision (a) of Section 262.
 - (D) Lewd acts on a child under 14 years of age, as defined in Section 288.
 - (E) Any felony punishable by death or imprisonment in the state prison for life.
 - (F) Any sex offense requiring registration pursuant to Section 290.
 - (G) Escape from a secure perimeter within the previous 10 years.
 - (H) Arson.
- Currently charged with the commission of any other offense.

Please click on [AB 2147](#) and [PC 1203.4b](#) for additional information.

Penal Code § 1203.4 – Successful Completion of Probation

After successful completion or early termination of probation, you may petition the court to dismiss the charges under Penal Code §1203.4. To be eligible for consideration pursuant to PC § 1203.4, you must not be:

- Serving a sentence for any offense.
- Be on probation for any offense.
- Be charged with the commission of any offense.
- You may petition the court for an early termination of probation by filing a Petition for Modification of Sentence. The judge, in the interest of justice, may grant an early termination of probation.

Penal Code § 1203.4a, Penal Code § 1203.41 - Not on Probation

If you were not placed on probation and more than one year has elapsed since the date of pronouncement of judgment, you may petition the court to dismiss the charges under Penal Code

§1203.4a. To be eligible for consideration pursuant to PC §1203.4a:

- Did not serve a prison term on this case.
- Must have complied with the court sentence
- Must not now be serving a sentence for any offense or be charged with the commission of any offense.

Penal Code § 1203.4b – Incarcerated Individual Hand Crews

If you successfully participated in the California Conservation Camp program as an incarcerated individual hand crew member, as determined by the Secretary of the Department of Corrections and Rehabilitation, or successfully participated as a member of a county incarcerated individual hand crew, as determined by the appropriate county authority, you may petition the court to dismiss the charges under Penal Code § 1203.4b.

To be eligible for consideration pursuant to PC § 1203.4b:

- Must be released from custody.
- Successful participation in the program. Successful participation means the incarcerated individual adequately performed their duties without any conduct that warranted removal from the program.
- Not have been convicted of any crimes outlined in Penal Code § 1203.4b(a)(1) .

What Will Be The Effect of Having The Petition Granted?

The most common reason for obtaining relief pursuant to PC1203.4/1203.4a/1203.4b is to allow the previously-convicted person to state on non-governmental employment applications that they have not been convicted of a felony. However, the record of conviction continues to exist and continues to have certain effects. A clearance of this type does not eliminate all possible adverse consequences or release a person from all “penalties and disabilities” resulting from the charges in the case:

- Information relating to the case may be available to others when the release of such information is authorized by law.
- A dismissal pursuant to PC 1203.4/1203.4a/1203.4b does **not** relieve you from the obligation to disclose the conviction in response to any direct question contained in any questionnaire or application for

public office, for licensure by any state or local agency, or for contracting with the California State Lottery, but allows you to indicate “no” on most employment applications that ask whether you have been convicted of a crime.

- A dismissal pursuant to PC 1203.4/1203.4a/1203.4b will **not** keep the conviction from being used against a person as a prior conviction in any future criminal proceedings, such as for enhancing a prison sentence.
- A dismissal pursuant to PC 1203.4/1203.4a/1203.4b will **not** avoid suspension of one’s driving privilege as set forth in Section 13555 of the Vehicle Code. Granting of the Petition does **not** affect Department of Motor Vehicles (DMV) actions or future consequences for crimes involving operation of a motor vehicle.
- A dismissal pursuant to PC 1203.4/1203.4a/1203.4b will **not** permit the person convicted to own, possess, or have in their custody or control a firearm, and will not prevent a person from being convicted under Section 12021 of the Penal Code (person prohibited from possessing a firearm) in the future.
- Granting of the Petition does **not** relieve you from any obligation to register under Penal Code §290.
- Granting of the Petition does not seal your record, destroy or remove any entries from the court, law enforcement, Department of Justice or DMV. The case, including the conviction will remain public record.

Filing Requirements

At the time of filing the petition, you must provide the Court with:

- An original Petition for Dismissal (Form No. CR-180) and five (5) copies of each. Original and six (6) copies of each if seeking relief under PC 1203.4b.
- An original Order for Dismissal (Form No. CR-181) and five (5) copies of each. Original and six (6) copies of each if seeking relief under PC 1203.4b.
- An original Petition (Form No. CR-9), if applicable and five (5) copies of each. The CR-9 is only used for 1203.3/17PC requests, or for 1203.4 PC requests ***if the case is still on probation.***

Distribution of the copies is as follows:

- Original for the Court
- One copy for Probation
- One copy for the District Attorney
- One copy for the Secretary of the Department of Corrections and Rehabilitation or appropriate county authority if seeking relief under PC 1203.4b.
- One copy for petitioner/filer
- One copy for petitioner with a ***self-addressed stamped envelope**** for return by U.S. mail
- One copy for file
- **All documents must be two-hole punched at the top.**

The Court will forward the copies of documents to Probation and the District Attorney (and Secretary of the Department of Corrections and Rehabilitation or appropriate county authority if seeking relief under PC 1203.4b).

****To receive a copy of the petition by U.S. Mail after it has been ruled upon, you must submit a self-addressed stamped envelope. Failure to do so will equate to a \$40.00 certification charge plus a copy fee of \$.50 per page if a copy is requested at a later date.***

Is There a Filing Fee?

There is no filing fee. However, the Court will impose a non-refundable administrative processing cost whether or not the petition is granted and the records are sealed or expunged. The Court has determined the rate of reimbursement for administrative costs per petition as follows:

- If no probation was given at the time of your sentence, the reimbursement cost is \$60.00.
- If a probation, parole, or state prison term was given at the time of your sentence, the reimbursement cost is \$120.00.
- There is no reimbursement cost when filing a PC 17(B), a PC 1203.3, or a PC 1203.4b petition.

You may pay the administrative processing cost using a credit card. Complete the Credit Card Authorization Form CR-500 included with this packet. Mail or bring this form to the court with your other documents.

If you believe you do not have the ability to pay the reimbursement cost associated with your petition, you may complete and submit a Sacramento Court Financial Declaration form CR-332. Your ability to pay will be determined by a judge, based on the information you provide.

Is My Appearance Necessary?

Your appearance at the hearing depends on the type of hearing:

- ***For misdemeanor cases still on probation***, you will be required to appear.
- ***For misdemeanor cases not on probation, hearings are conducted ex parte (in your absence) with a “Rule by Date.”***
- ***For felony cases, you must appear.*** The hearing will be on a date ninety (90) days from the date of filing.
 - If filing both felony and misdemeanor cases simultaneously, all cases follow the felony path.

Upon Granting the Petition, the Court Will Order That:

- The conviction be set aside;
- A plea of not guilty be entered; and
- The case be dismissed pursuant to the applicable Penal Code (1203.4, 1203.4a, 1203.4b, 1203.41, 1203.42, or 1203.43).

Checking the Status of Your Petition

You may [Check the Status of Your Petition](#) on the web seven (7) court days after the “Rule By Date” noted on the petition (or the Hearing Date for felony cases).

- If your petition is denied, you may refer to the [Local Rules of Court](#) to obtain information about how to request a hearing.
- For misdemeanor cases with a “Rule by Date”, if you provided a self-addressed stamped envelope at the time the petition was filed, a copy will be mailed to you within seven (7) court days of the court’s decision.

Forms

You may obtain forms at the end of this document. Other General Judicial Council forms are available on the web at <http://www.courts.ca.gov/forms.htm>

For Department of Justice Information, contact the Records Review section at (916) 227-3849 or on the web at <https://oag.ca.gov/fingerprints/record-review>.



Sacramento Superior Court, 720 Ninth Street, Sacramento, California 95814

Attorney or Party Without Attorney (Name, Address and Telephone): 	FOR COURT USE ONLY
Attorney for:	

THE PEOPLE OF THE STATE OF CALIFORNIA vs. Defendant Name _____	PETITION AND ORDER PURSUANT TO PENAL CODE SECTION 1203.3, 17(b) Case Number _____ Date of Birth _____
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PETITION

☐ I am the attorney for the above named defendant ☐ I am the defendant in the above entitled action
who was convicted on _____ of ☐ felony offense(s) ☐ misdemeanor offense(s)
(Month / Day / Year)
of the violation section(s) _____.

The defendant requests:

☐ the charge(s) be reduced to a misdemeanor pursuant to Penal Code 17b.

☐ probation be terminated pursuant to Penal Code 1203.3. The defendant has fulfilled the condition of Penal Code Section 1203.3.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____ at Sacramento, California
(Month / Day / Year) (City)

Signature of petitioner Print name of petitioner

HEARING – FOR COURT USE ONLY

☐ Petition will be submitted on _____ at _____ A.M./P.M. in Department _____
(Month / Day / Year) (Time)

ORDER – FOR COURT USE ONLY

☐ The court **GRANTS/ DENIES** the petition to terminate probation pursuant to Penal Code 1203.3.

☐ The court **GRANTS/DENIES** the petition for reduction of a felony to a misdemeanor under Penal Code section 17(b).

Dated: _____
Judge of the Superior Court



Sacramento Superior Court
720 Ninth Street, Sacramento, California 95814

CR-180

<u>Attorney or Party Without Attorney</u> NAME: FIRM NAME: STREET ADDRESS: CITY, STATE, ZIP: TELEPHONE NO.: () FAX NO.: () E-MAIL ADDRESS: ATTORNEY FOR (Name): DEFENDANT DRIVER'S LICENSE NUMBER:	State Bar No:	FOR COURT USE ONLY
PETITION FOR DISMISSAL PENAL CODE SECTION §§ 17(b), 17(d)(2), 1203.4, 1203.4a, 1203.4b, 1203.41, 1203.42, 1203.43, 1203.49		

THE PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: _____					
CASE NUMBER:		DATE OF BIRTH:			
COURT DATE: (For Court Use Only)		TIME:		DEPT.:	

1. ☐ I am the attorney for the above named defendant **or** ☐ I am the defendant in the above entitled action.
On (date): _____, the petitioner (*the defendant in the above-entitled criminal action*) was convicted of a violation of the following:

Offense (Specify each offense in the case noted above)	Code	Section	Type of offense: (Felony; Misdemeanor; Infraction)	Eligible for reduction to misdemeanor under Penal Code § 17(b) (Select Yes or No)	Eligible for reduction to infraction under Penal Code 17(d)(2) (Select Yes or No)
			<input type="checkbox"/> Fel <input type="checkbox"/> Mis <input type="checkbox"/> Inf	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Fel <input type="checkbox"/> Mis <input type="checkbox"/> Inf	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Fel <input type="checkbox"/> Mis <input type="checkbox"/> Inf	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Fel <input type="checkbox"/> Mis <input type="checkbox"/> Inf	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Fel <input type="checkbox"/> Mis <input type="checkbox"/> Inf	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

If additional space is needed for listing offenses, use *Attachment to Judicial Council Form* (form MC-025).

2. ☐ **Felony or misdemeanor with probation granted (Pen. Code, § 1203.4)**
Probation was granted on the terms and conditions set forth in the docket of the above-entitled court; the petitioner is not serving a sentence for any offense, nor on probation for any offense, nor under charge of commission of any crime, and the petitioner (*check all that apply*):
- a. ☐ has fulfilled the conditions of probation for the entire period thereof;
 - b. ☐ has been discharged from probation prior to the termination of the period thereof;
 - c. ☐ should be granted relief in the interests of justice. (*Please note: You must explain why granting a dismissal would be in the interests of justice. You may complete and attach the Attached Declaration (form MC-031) or submit other relevant documents.*)
3. ☐ **Misdemeanor or infraction with sentence other than probation (Pen. Code, § 1203.4a)**
Probation was not granted; more than one year has elapsed since the date of pronouncement of judgment. The petitioner has complied with the sentence of the court and is not serving a sentence for any offense or under the charge or commission of any crime; and the petitioner (*check one*):
- a. ☐ has lived an honest and upright life since pronouncement of judgment and conformed to and obeyed the laws of the land; **or**
 - b. ☐ should be granted relief in the interests of justice. (*Please note: You must explain why granting a dismissal would be in the interests of justice. You may complete and attach the Attached Declaration (form MC-031) or submit other relevant documents.*)

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4. ☐ **Successful participation in the California Conservation Camp Program or county incarcerated individual hand crew (Pen. Code, § 1203.4b)**

The petitioner has been released from custody, has not been convicted of any crimes outlined in Penal code section 1203.4b(a)(1), and has successfully participated in (check all that apply):

Successful participation means the incarcerated individual adequately performed their duties without any conduct that warranted removal from the program.

- a. ☐ the California Conservation Camp program as an incarcerated individual hand crew member, as determined by the Secretary of the Department of Corrections and Rehabilitation.
- b. ☐ as a member of a county incarcerated individual hand crew, as determined by the appropriate county authority.
- c. ☐ should be granted relief in the interests of justice. (Please note: You must explain why granting a dismissal would be in the interests of justice. You may complete and attach the Attached Declaration (form MC-031) or submit other relevant documents.)

Please provide the following information to assist in certifying successful participation in fire camp as a hand crew member:

CDCR NUMBER:	NAME OF FIRE CAMP:
FIRE CAMP PARTICIPATION DATES:	

5. ☐ **Misdemeanor conviction under Penal Code section 647(b) (Pen. Code, § 1203.49)**

The petitioner has completed a term of probation for a conviction under Penal Code section 647(b) and should be granted relief because the petitioner can establish by clear and convincing evidence that the conviction was the result of his or her status as a victim of human trafficking.

Please note: You may provide evidence that the conviction was the result of your status as a victim of human trafficking. You may complete and attach the Attached Declaration (form MC-031) or submit other relevant documents.

6. ☐ **Felony county jail sentence under Penal Code section 1170(h)(5) (Pen. Code, § 1203.41)**

The petitioner is not under supervision under Penal code section 1170(h)(5)(B) and is not serving a sentence for, on probation for, or charged with the commission of any offense, and should be granted relief in the interests of justice, and (check one):

- a. ☐ more than one year has elapsed since petitioner completed the felony county jail sentence **with** a period of mandatory supervision imposed under Penal Code section 1170(h)(5)(B); **or**
- b. ☐ more than two years have elapsed since petitioner completed the felony county jail sentence **without** a period of mandatory supervision imposed under Penal Code section 1170(h)(5)(A).
- c. ☐ should be granted relief in the interests of justice. (Please note: You must explain why granting a dismissal would be in the interests of justice. You may complete and attach the Attached Declaration (form MC-031) or submit other relevant documents.)

7. ☐ **Felony Conviction sentenced prior to the implementation of the 2011 Realignment Legislation for a crime which he/she would otherwise be eligible for sentencing pursuant to subdivision (h) of Sect. 1170 (Pen. Code, § 1203.42).**

- a. ☐ More than two years have elapsed since the completion of the sentence
- b. ☐ Not under supervised release, and not serving a sentence for, or probation for, or charged with the commission of any offense.

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8. ☐ **Deferred entry of judgment (*Pen. Code, § 1203.43*)**

Petitioner performed satisfactorily during the period in which deferred entry of judgment was granted. The criminal charge(s) were dismissed under Penal Code section 1000.3 on (date): _____. Furthermore (check one):

- a. ☐ court records are available showing the case resolution.
- b. ☐ petitioner declares under penalty of perjury that the charges were dismissed after he or she completed the requirements for deferred entry of judgment. Petitioner (check one):
☐ has **or** ☐ has not attached a copy of his or her state summary criminal history information.

9. ☐ The Petitioner requests that eligible felony offenses listed above be reduced to misdemeanors under Penal Code section 17(b).


10. ☐ The Petitioner requests that eligible misdemeanor offenses be reduced to infraction under Penal Code section 17(d)(2).

11. ☐ Petitioner requests that he/she be permitted to withdraw the plea of guilty, or that the verdict or finding of guilt be set aside and a plea of not guilty be entered and the court dismiss this action under section:

☐ 1203.4, ☐ 1203.4a, ☐ *1203.4b, ☐ 1203.41, ☐ 1203.42, ☐ 1203.43, ☐ 1203.49 of the Penal Code.

**Please note: upon granting relief under Penal Code section 1203.4b, the court shall order early termination of probation, parole, or supervised release if the court determines that the defendant has not violated any terms or conditions of probation, parole, or supervised release prior to, and during the pendency of, the petition for relief pursuant to Penal Code section 1203.4b.*

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on: _____  _____
(DATE) (SIGNATURE OF PETITIONER OR ATTORNEY)

HEARING – FOR COURT USE ONLY

☐ Petition will be submitted on _____ at _____ ☐ A.M. / ☐ P.M. in Dept. _____
(Month / Day / Year) (Time)

☐ The District Attorney has been notified of this hearing. ☐ Probation has been notified of this hearing.



Sacramento Superior Court

720 Ninth Street, Sacramento, California 95814

CR-181

<u>Attorney or Party Without Attorney</u> State Bar No:		FOR COURT USE ONLY
NAME:		
FIRM NAME:		
STREET ADDRESS:		
CITY, STATE, ZIP:		
TELEPHONE NO.: () FAX NO.: ()		
E-MAIL ADDRESS		
ATTORNEY FOR (Name)		
ORDER FOR DISMISSAL PENAL CODE SECTION §§ 17(b), 17(d)(2), 1203.4, 1203.4a, 1203.4b, 1203.41, 1203.42, 1203.43, 1203.49		
THE PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: _____		CASE NUMBER:

The court finds from the records on file in this case, and from the foregoing petition, that the petitioner (*the defendant in the above-entitled criminal action*) is eligible for the following requested relief:

1. ☐ The court **GRANTS** the petition for reduction of a felony to a misdemeanor (maximum punishment of 364 days per Pen. Code, §18.5) under Penal code section 17(b) and/or for reduction of a misdemeanor to an infraction under Penal Code section 17(d)(2) and reduces the following convictions:
 - ☐ ALL FELONY CONVICTIONS in the above-entitled action;
 - ☐ ALL MISDEMEANOR CONVICTIONS in the above-entitled action: **OR**;
 - ☐ Only the following convictions in the above-entitled action (*specify charges and date of conviction*):

2. ☐ The court **DENIES** the petition for reduction of a felony to a misdemeanor under Penal Code section 17(b) and/or for reduction of a misdemeanor to an infraction under Penal Code section 17(d)(2) for:
 - ☐ ALL FELONY CONVICTIONS in the above-entitled action;
 - ☐ ALL MISDEMEANOR CONVICTIONS in the above-entitled action: **OR**;
 - ☐ Only the following convictions in the above-entitled action (*specify charges and date of conviction*):

3. ☐ The court **GRANTS** the petition for dismissal regarding the following convictions under Penal Code
☐ 1203.4, ☐ 1203.4a, ☐ 1203.4b, ☐ 1203.41, ☐ 1203.42, ☐ 1203.43, or ☐ 1203.49 and it is ordered that pleas, verdicts, or findings of guilt be set aside and vacated and a plea of not guilty be entered and that the complaint be, and is hereby, dismissed for:
 - ☐ ALL CONVICTIONS OR PLEAS FOR DEFERRED ENTRY OF JUDGMENT in the above-entitled action; **OR**;
 - ☐ Only the following convictions or pleas for deferred entry of judgment in the above-entitled action (*specify charges and date of conviction or plea for deferred entry of judgment*):

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4. ☐ The court **DENIES** the petition for dismissal regarding the following convictions under Penal Code ☐ 1203.4, ☐ 1203.4a, ☐ 1203.4b, ☐ 1203.41, ☐ 1203.42, ☐ 1203.43, or ☐ 1203.49 for:
- ☐ ALL CONVICTIONS OR PLEAS FOR DEFERRED ENTRY OF JUDGMENT in the above-entitled action; **OR**;
- ☐ Only the following convictions or pleas for deferred entry of judgment in the above-entitled action (*specify charges and date of conviction*):
5. In granting this order under the provisions of Penal Code section 1203.49, the court finds that the petitioner was a victim of human trafficking when he or she committed the crime. The court orders (*check one*):
- a. ☐ the relief described in section 1203.4.
- b. ☐ the relief described in section 1203.4, with the following exceptions (*specify*):
6. If this order is granted under the provisions of Penal code section ☐ 1203.4, ☐ 1203.4b, ☐ 1203.41, ☐ 1203.42:
- a. The petitioner is required to disclose the above conviction in response to any direct question contained in any questionnaire or application for public office, or for licensure by any state or local agency, or for contracting with the California State Lottery Commission (for relief granted under Penal Code sections 1203.4, 1203.41, or 1203.42).
- b. The petitioner is required to disclose the above conviction in response to any direct question contained in any questionnaire or application for licensure by the Commission on Teacher Credentialing, a position as a peace officer, public office, or for contracting with the California State Lottery Commission (for relief granted under Penal Code section 1203.4b).
- c. Dismissal of the conviction does not *automatically* relieve petitioner from the requirement to register as a sex offender (see, e.g., Pen. Code, § 290.5)
7. If the order is granted under the provisions of either Penal Code section 1203.4, 1203.4a, 1203.4b, 1203.41, 1203.42, or 1203.49, the petitioner is released from all penalties and disabilities resulting from the offense except as provided in Penal Code Sections 29800 and 29900 (formerly sections 12021 and 12021.1) and Vehicle Code 13555. In any subsequent prosecution of the petitioner for any other offense, the prior conviction may be pleaded and proved and shall have the same effect as if probation had not been granted or the accusation or information dismissed. The dismissal does not permit a person to own, possess, or have in his or her control a firearm if prevented by Penal Code sections 29800 or 29900 (formerly sections 12021 and 12021.1). Dismissal of a conviction does not permit a person prohibited from holding public office as a result of that conviction to hold public office.
8. In addition, as required by Penal code section 299(f), relief under Penal Code sections 17(b), 17(d)(2), 1203.4, 1203.4a, 1203.4b, 1203.41, 1203.42, or 1203.49, does *not* release petitioner from the separate administrative duty to provide specimens, samples, or print impressions under the DNA and Forensic Identification Database and Data Bank Act (Pen. Code, § 295 et seq.) if petitioner was found guilty by reason of insanity, or pled no contest to a qualifying offense as defined in Penal Code section 296(a).

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9. The basis for an order of dismissal granted under the provisions of Penal Code section 1203.43 is the invalidity of defendant's prior plea due to misinformation in former Penal Code section 1000.4 regarding the actual consequences of making a plea and successful completion of a deferred entry of judgment program.
10. Pursuant to Penal Code section 1203.4(d), the court orders the balance, if any, of the imposed non-refundable administrative processing cost to be paid forthwith. If you fail to pay the non-refundable administrative processing cost as ordered, the balance is ordered referred to the Department of Revenue Recovery for collection.

FOR COURT USE ONLY

(DATE)

(JUDICIAL OFFICER)



**Request to Waive Penal Code section
1203.4 Administrative Costs -
CONFIDENTIAL FINANCIAL DECLARATION**

(FOR COURT USE ONLY)

If you are getting public benefits, are a low-income person, or do not have enough income to pay for your household's basic needs and your court costs, you may use this form to ask the court to waive your court costs. You must completely fill in all of the requested information.

YOUR NAME:		Case Number:	
ADDRESS:			
PHONE NUMBER:			

YOUR JOB, if you have one (<i>job title</i>):	
NAME OF EMPLOYER:	
EMPLOYER'S ADDRESS:	

1. WHY ARE YOU ASKING THE COURT TO WAIVE YOUR COURT COSTS?

- a. I receive (check all that apply; see form FW-001-INFO for definitions):
- | | | | |
|----------------------------|----------------|-------------------------|----------|
| Food Stamps | Supp Sec. Inc. | SSP | Medi-Cal |
| County Relief/Gen. Assist. | IHSS | CalWORKS or Tribal TANF | CAP |
- b. My gross monthly household income (before deductions for taxes) is less than the amount listed below and I do not have enough income to pay for my household's basic needs and court costs. (If this item is checked you must fill out section 2 of this form.)

FAMILY SIZE	FAMILY INCOME	FAMILY SIZE	FAMILY INCOME	FAMILY SIZE	FAMILY INCOME	If more than 6 people at home, add \$460.42 for each extra person.
1	\$1,301.05	3	\$2,221.88	5	\$3,142.71	
2	\$1,761.46	4	\$2,682.30	6	\$3,603.13	

Complete the information on page 2 if you selected item 1b above. You **must** fill out the entire section. If you need more space, attach form MC-025 or attach a sheet of paper and write Financial Information and your name and case number at the top.

I declare under penalty of perjury under the laws of the State of California that the information I have provided on this form and all attachments is true and correct.

Date: _____ SIGNATURE: _____

Type or Print Your Name Here _____

2. INCOME, EXPENSE & HOUSEHOLD INFORMATION**a. YOUR GROSS MONTHLY INCOME**

List the source and amount of any income you get each month, including: wages or other income from work before deductions, spousal/child support, retirement, social security, disability, unemployment, military basic allowance for quarters (BAQ), veterans payments, dividends, interest, trust income, annuities, net business or rental income, reimbursement for job-related expenses, gambling or lottery winnings, etc.

1. _____

2. _____

3. _____

Your total monthly income: _____

b. HOUSEHOLD INCOME

List the income of all other persons living in your home who depend in whole or in part on you for support, or on whom you depend in whole or in part for support.

	NAME	AGE	RELATIONSHIP	GROSS MONTHLY INCOME
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____

Your monthly income of persons above: _____

Total monthly income and household income (section a. plus section b.) _____

c. YOUR MONEY AND PROPERTY

1.	CASH				
2.	ALL FINANCIAL ACCOUNTS	BANK NAME	AMOUNT		
		a.	_____		
		b.	_____		
		c.	_____		
3.	CARS, BOATS & OTHER VEHICLES	YEAR	MAKE	FAIR MARKET VALUE	HOW MUCH YOU STILL OWE
		a.	_____		
		b.	_____		
		c.	_____		
4.	REAL ESTATE	ADDRESS	FAIR MARKET VALUE	HOW MUCH YOU STILL OWE	
		a.	_____		
		b.	_____		

5. OTHER PERSONAL PROPERTY	DESCRIBE	FAIR MARKET VALUE	HOW MUCH DO YOU STILL OWE
----------------------------	----------	-------------------	---------------------------

JEWELRY, FURNITURE, FURS,
STOCKS, BONDS, ETC.

d. YOUR MONTHLY DEDUCTIONS AND EXPENSES

DESCRIBE

AMOUNT

1. List any payroll deductions and the monthly amount:

A. _____

B. _____

C. _____

D. _____

2. Rent or house payment & maintenance

3. Food and household supplies

4. Utilities & telephone

5. Clothing

6. Laundry & cleaning

7. Medical & dental expenses

8. Insurance (life, health, accident, etc.)

9. School, daycare

10. Child, spousal support (another marriage)

11. Transportation, gas, auto repair & insurance

12. Installment payments (list each):

PAID TO:

A. _____

B. _____

C. _____

13. Wages/earnings withheld by court order

14. Any other monthly expenses (list each):

PAID TO:

A. _____

B. _____

C. _____

Your total monthly expenses: _____



Superior Court of California, County of Sacramento

Criminal Division

720 9th Street

Sacramento, CA 95814 (916) 874 - 5744

<https://www.saccourt.ca.gov/criminal/criminal.aspx>

Credit Card Authorization Form

Card Holder Information		
Name on Card :		
Billing Address:		
Billing City:	Billing State:	Billing Zip Code:
Telephone:	Alternate Telephone:	

Case Information		
Case Number	<input type="checkbox"/> 1203.4 Petition <input type="checkbox"/> Other: _____	Fee:
Case Number	<input type="checkbox"/> 1203.4 Petition <input type="checkbox"/> Other: _____	Fee:
Case Number	<input type="checkbox"/> 1203.4 Petition <input type="checkbox"/> Other: _____	Fee:
Case Number	<input type="checkbox"/> 1203.4 Petition <input type="checkbox"/> Other: _____	Fee:
Case Number	<input type="checkbox"/> 1203.4 Petition <input type="checkbox"/> Other: _____	Fee:
Case Number	<input type="checkbox"/> 1203.4 Petition <input type="checkbox"/> Other: _____	Fee:
Case Number	<input type="checkbox"/> 1203.4 Petition <input type="checkbox"/> Other: _____	Fee:
Total Fees		\$

Payment Authorization		
Card Type: <input type="checkbox"/> Visa <input type="checkbox"/> Mastercard	Card Number:	
Expiration Month / Year: /	Card CVV #:	Total Charged to Card: \$
I authorize the Superior Court of California, County of Sacramento to charge the amount of \$, to the credit card provided for the filing of the court document(s) listed above.		
Print/Type your name:		
Signature:		Date:



Request for Hearing on Penal Code section 1203.4 Administrative Costs Waiver & Order

(FOR COURT USE ONLY)

PETITIONER'S NAME:	
ADDRESS:	
PHONE NUMBER:	
CASE NUMBER:	

1. Date of order denying request to waive court costs: _____
2. I ask the court for a hearing on my cost waiver request so that I can bring more information about my financial situation.

Date: _____ **SIGNATURE:** _____
Print your name here: _____

ORDER

- ☐ The court grants your request for hearing. You must appear at your court hearing on:
Date: _____ Time: _____ Dept.: _____

Warning! If you do not appear on your hearing date, the previous court order denying your request to waive costs will remain in effect and the costs owed will be referred to the Sacramento County Department of Revenue Recovery for collection.

- ☐ The court denies your request for hearing because:
- ☐ The hearing request was not filed within ten days after denial notice was given on your request for a cost waiver.
 - ☐ Other: _____

Date: _____ **SIGNATURE:** _____
☐ Judicial Officer ☐ Deputy Clerk

Clerk's Certificate of Service

I certify that I am not a party to this case and (check one):

- ☐ I handed a copy of this order to the petitioner at the court, on the date below.
- ☐ This order was mailed first class, postage paid, to the petitioner, at the addresses listed above from Sacramento, California on the date below.

Date: _____ Clerk, by _____, Deputy