



**Sacramento Superior Court
CALIFORNIA PENAL CODE (PC) 1170.18 , (Proposition 47)
Instruction Sheet**

Please read the following instructions carefully. Failure to provide the required information to the court may result in the denial or delay of your petition.

Note: Filing multiple petitions on the same case does not result in a faster decision and may, in fact, delay processing of your request. To check the status of a petition you already filed, go to the [Criminal Division Index](#) and search by your case number.

Eligible Offenses:

Anyone who has been convicted of the following crimes may file a petition, as long as they meet the other eligibility criteria.

PC 459 (2nd Degree)	PC 460(b)	PC 470, 470a, 470b
PC 470(a), (b), (c), (d)	PC 471, 471.5	PC 472
PC 473	PC 475	PC 476, 476a
PC 484e, 484f, 484g, 484h	PC 484i(b)	PC 484.1
PC 484/487, 484/487(a)	PC 487(b),(b)(1)	PC 487 (b)(1)(A)
PC 487(b)(1)(B)	PC 487(b)(1)(B)(2)	PC 487(c), (d)
PC 487d, 487i	PC 490.2	PC 496, 496(a)
PC 666	HS 11350	HS 11357
HS 11357(A)	HS 11377	

Filing Deadline

A petition can be filed anytime, but no later than three years after the passage of Proposition 47, which became effective November 5, 2014.

Petition Review Process

Priority is given to those defendants who are currently in custody. If you are not currently in custody, your petition will be reviewed in the order it was received. Keep in mind there are hundreds of petitions being filed and it may be several weeks before you hear the results.

Filing Requirements:

You must file the petition in the county of last jurisdiction. If your case was heard in Sacramento County, or your case has been transferred to Sacramento County pursuant to PC 1203.9, you must file your petition with the Sacramento Superior Court.

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

- An original petition ([Form Number CR-325](#)) and two (2) copies.
- All documents must be two-hole punched at the top.
- A self-addressed stamped envelope if you wish to receive a copy of the petition, after it has been ruled upon.

Failure to do so will result in a \$25.00 certification charge plus a copy fee of \$.50 per page if a copy is requested at a later date.

- Your petition may be filed in person, or via U.S. Mail at the following address:

Sacramento Superior Court
720 9th Street
Attn.: Criminal Support Unit, Room 102
Sacramento, CA 95814

Notice Requirements:

- It is your (petitioner's) responsibility to serve a copy of the petition to the District Attorney's Office at the following address:
Sacramento County District Attorney's Office
901 G Street
Sacramento, CA 95814

Filing Fee Requirements:

There is no requirement to pay a fee to file.

Appearance Requirements:

Your appearance will depend on the type of hearing that will be held.

- Uncontested petitions do not require your appearance. Hearings are conducted ex parte (in your absence) with a "Rule by Date" as determined by the hearing Judge designated by the Presiding Judge of the Sacramento Court.
- For contested petitions, you may choose to appear. Your hearing date will be determined by the hearing Judge designated by the Presiding Judge of the Sacramento Court. You will receive notification of the hearing date.

Petition Restrictions

- If the Judge grants your petition, it means that your conviction will now be re-designated as a misdemeanor. It does not, however, mean your case will be dismissed.
- No person having their offense re-designated as a misdemeanor will be permitted to own, possess, or have in their custody or control, any firearm or prevent their conviction under Chapter 2 (commencing with Section 29800) of Division 9 of Title 4 of Part 6.
- The Court may deny the petition if it finds the defendant would pose an unreasonable risk of danger to public safety.
- If your petition is denied, you may refer to the [Local Rules of Court](#), to obtain information on how you may request a hearing.

Checking the Status of Your Petition

- To check the status of a petition that has already been filed, go the [Criminal Division Index](#) to search your case number.
- If you provided a self-addressed stamped envelope when your petition was filed, a copy will be mailed to you within seven (7) business days after the decision has been made.

Additional Resources

- [Petition for Re-designation of Sentence](#) (Form CR-325)
- Department of Justice (DOJ) Records Review Section
(916) 227 – 3849
<http://aq.ca.gov/fingerprints/>
- Eligibility questions or filing assistance, contact the Sacramento County Public Defender's Office
700 H Street, Suite 0270
Sacramento, CA 95814
(916) 874 -6411
<http://www.publicdefender.saccounty.net>