



Sacramento Superior Court

CALIFORNIA HEALTH & SAFETY CODE (HS) 11361.8(b), Proposition 64

Petition Information and 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.

- HS 11357
- HS 11358
- HS 11359
- HS 11360

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-335](#)) 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 and order, 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. To waive your appearance, place a mark in box "e" contained in item no. 5 on the Petition.

- 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 has been re-designated as a misdemeanor or infraction and/or that the conviction has been dismissed.

- 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.

Check the Status of Your Petition

To check the status of a petition that has already been filed, go to the [Criminal Division Index](#) on the web 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-335)
- Department of Justice (DOJ) Records Review Section
(916) 227 – 3849
<http://ag.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>