CR-412/MIL-412

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR *(name):*	***FOR COURT USE ONLY***
SUPERIOR COURT OF CALIFORNIA, COUNTY OF	
PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT: CDC OR ID NUMBER: DATE OF BIRTH:	
PETITION FOR RESENTENCING BASED ON HEALTH CONDITIONS DUE TO MILITARY SERVICE LISTED IN PENAL CODE SECTION 1170.91(b) **Instructions** (*if you are filing for yourself*): File this petition with the same court where you were sentenced. File a separate petition for each case in which you are asking for resentencing. "Petitioner" as used in this form refers to you.	CASE NUMBER: ***FOR COURT USE ONLY*** DATE: TIME: DEPARTMENT:

Petitioner/counsel declares as follows:

1. q Petitioner is currently serving a sentence for the felony conviction listed below.
   - q Petitioner is currently in jail or prison.
   - q Petitioner is on supervision (for example, probation, parole, PRCS, mandatory supervision) because of the conviction.

2. q On *(date of conviction):* , petitioner was convicted of the following felony offenses:

Code	Section	Name of offense

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

3A. q Petitioner was a member of the U.S. military. Petitioner served in (branch of military):
from (*date of entry into military):* until *(last date served in the U.S. military):*

3B. q Petitioner is currently a member of the U.S. military. Petitioner serves in *(branch of military)*:
and petitioner's entry date was:

4. q As a result of military service, petitioner may be suffering from the following health conditions (*check all that apply*):
   - q Sexual trauma
   - q Post-traumatic stress disorder (PTSD)
   - q Traumatic brain injury (TBI)
   - q Substance abuse
   - q Mental health problems *(list or describe)*:

5. q When petitioner was sentenced, the judge did not consider health conditions resulting from petitioner's military service as a factor in deciding the sentence.

6. q Petitioner was sentenced before January 1, 2015.

Date:

SIGNATURE OF PETITIONER/DEFENDANT OR ATTORNEY

Proof of Service **(form CR-106) may be used to provide proof of service of this petition.**

Form Approved for Optional Use
Judicial Council of California
CR-412/MIL-412 [New January 1, 2020]

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Penal Code, § 1170.91(b)
www.courts.ca.gov