

Order on Petition—Incarcerated Individual Hand Crew (Pen. Code, § 1203.4b)

Clerk stamps date here when form is filed.

1 Name: _____
First Middle Last

Mailing address: _____
Street

_____ City State Zip

CDCR No. (if known): _____

Name of fire camp (if known): _____

Superior Court of California, County of

Case Number:

2 **The court finds:**

The Secretary of the California Department of Corrections and Rehabilitation has certified to the court that the petitioner successfully participated as a hand crew member in the CDCR incarcerated individual conservation camp program.

The appropriate county authority has certified to the court that the petitioner successfully participated as a member of a county incarcerated individual hand crew.

The petitioner has not violated any terms or conditions of probation, parole, or supervised release prior to, and during the pendency of, the petition for relief under Penal Code section 1203.4b. The court orders early termination of (check one): probation parole supervised release

It is in the interests of justice to dismiss the accusations or information against the petitioner and release the petitioner from all penalties and disabilities resulting from the offense of which the petitioner has been convicted, except as provided in Vehicle Code Section 13555.

For Court use only:

Date:

Time:

Department:

3 The court **GRANTS** the petition for dismissal regarding the following convictions under Penal Code section 1203.4b (check one):

for all convictions in case number: _____ or only the following convictions in case number: _____ (specify charges and date of conviction): _____

It is ordered that the petitioner’s plea of guilty or nolo contendere be withdrawn and a plea of not guilty be entered, or the verdict of guilt be set aside. The court dismisses the accusations or information against the petitioner.

Petitioner is released from all penalties and disabilities resulting from the convictions in this case for which the court is granting relief, except as follows:

- Suspension of petitioner’s driver’s license except as provided in Vehicle Code section 13555.
- In any subsequent prosecution, this conviction may have the same effect as if the accusation or information had not been dismissed.
- Petitioner must still disclose the conviction in response to any direct question in any questionnaire or application for licensure by the California Commission on Teacher Credentialing, for a position as a peace officer, for public office, or for contracting with the California State Lottery Commission.
- Petitioner may still be prohibited from owning, possessing, or having in petitioner’s custody or control any firearm.
- Petitioner may still be prohibited from holding public office as a result of the dismissed conviction.

4 The court **DENIES** the petition because petitioner’s conviction is for an offense that is ineligible for relief under Penal Code section 1203.4b(a)(1)(A)–(H).

The court **DENIES** the petition without prejudice (*check all that apply*):

- a. Petitioner is in custody.
- b. Petitioner is currently charged with the commission of any other offense.
- c. The Secretary of the Department of Corrections and Rehabilitation did not certify to the court that petitioner successfully participated as a hand crew member in the CDCR incarcerated individual conservation camp program, or the appropriate county authority did not certify to the court that the petitioner successfully participated in the county incarcerated individual hand crew program.
- d. Petitioner was not serving a sentence for this conviction at the time of participation in fire camp.
- e. The court finds that granting relief would not serve the interests of justice because:

f. Other:

Date: _____

Signature of Judicial Officer