

Attorney or Party without Attorney (Name, State Bar number, Address):	<i>(COURT USE ONLY)</i>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF MERCED</b> Street Address: 2260 N Street, Merced, CA 95340 Mailing Address: 627 W. 21 <sup>st</sup> Street, Merced, CA 95340	
<i>PLAINTIFF</i> <b>PEOPLE OF THE STATE OF CALIFORNIA</b>	
DEFENDANT <span style="float: right;">Date of Birth:</span>	
<b>WAIVER, STIPULATION and ORDER FOR RESENTENCING</b> (Penal Code §1170.18(a))	CASE NUMBER

**THE DISTRICT ATTORNEY AND DEFENDANT, HAVING REVIEWED THE DEFENDANT'S ENTIRE CRIMINAL HISTORY RECORD AND RECORD OF THE CURRENT CONVICTION, HEREBY STIPULATE AND AGREE:**

1. Any right to have the petition for resentencing decided by the original sentencing court is waived.
2. Defendant is eligible for resentencing because:
  - a. The following felony offenses would have been misdemeanor offenses if committed on or before November 5, 2014 (*list all eligible counts and code sections*):
  - b. The defendant has no prior convictions listed in Penal Code §667(e)(2)(C)(2)(iv), or that require sex offender registration under Penal Code §290.
  - c. The defendant does not pose an unreasonable risk to public safety as defined in Penal Code §1170.18(c).

**THE PARTIES THEREFORE REQUEST THAT DEFENDANT'S PETITION FOR RESENTENCING BE GRANTED.**

Date: \_\_\_\_\_  
\_\_\_\_\_  
 Defendant

Date: \_\_\_\_\_  
\_\_\_\_\_  
 Attorney for Defendant

Date: \_\_\_\_\_  
\_\_\_\_\_  
 District Attorney

Defendant waives his/her presence.

**ORDERS**

- The Petition for resentencing is GRANTED.
- The matter is set for RECALL and RESENTENCING on \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ am/pm in Courtroom \_\_\_\_.
- The matter is referred to Adult Probation for  calculation of credits,  victim notification  
 (*other*) \_\_\_\_\_
- (*Other orders*): \_\_\_\_\_

Date: \_\_\_\_\_  
\_\_\_\_\_  
 Judicial Officer