

SUPERIOR COURT OF CALIFORNIA, COUNTY OF TULARE
 PETITION/APPLICATION FOR RESENTENCING or DISMISSAL
 FOR REDUCTION or DISMISSAL/SEALING
 Health & Safety Code §11361.8



Information and Instructions

General Information:

Under Health & safety Code §11361.8, a person currently serving a sentence, or who has completed a sentence for a conviction of a violation of section 11357, 11358, 11359, and 11360 of the Health & Safety Code may be eligible to have the conviction reduced or re-designated as a misdemeanor or an infraction and resentenced, or dismissed as applicable.

Am I eligible?

If you were 18 years of age or over when charged with one or more of the violations listed above, you may be eligible to complete the Petition/Application for Resentencing or Dismissal, for Reduction or Dismissal/Sealing form and file it Criminal Operations in either the Visalia Division or South County Justice Center Division. Only one petition/application form should be completed per case.

If you were under 18 years of age when charged with one or more of the violations listed above, contact the Juvenile Justice Division.

How do I know which section of the form to fill out?

(The definitions below are intended to provide general information and do not attempt to provide legal advice about how to submit your petition/application.)

If you have been convicted of one of the eligible violations...	then...
and are currently serving a sentence, under supervision (probation, parole, post release community supervision (PRCS), mandatory supervision) or in custody,	for purposes of this form, you may select box 1A and mark the applicable box(es) to indicate the action(s) to be taken on your sentence(s).
and have completed your sentence, are no longer under supervision (probation, parole, post release community supervision (PRCS), mandatory supervision) or in custody,	for purposes of this form, you may select box 1B and mark the applicable box(es) to indicate the action(s) to be taken on your conviction(s).
and are currently diverted pursuant to Penal Code Section 1000,	for purposes of this form, you may select box 1A and mark the applicable box(es) to indicate the action(s) to be taken.

Where will the petition/application be heard?

If your case was heard or is being heard at the Visalia Division you will file your Petition/Application at the Visalia Division.

If your case was heard or is being heard at the South County Justice Center you will file your Petition/Application at the South County Justice Center.

How long does this process take?

The petition/application process may take up to 120 days or longer, depending on the details of the case and the amount of petitions received by the court.

This information document is for general use and not intended as full and comprehensive instruction governing the laws and rules relating to petitions or applications filed under Health & Safety Code section 11361.8 nor does this information sheet attempt to legally define sentence term phrases. For further information you may refer to Health & Safety code section 11361.8 or you may wish to seek legal assistance.

NOTE: Clerks cannot advise or give assistance in the completion of this petition.

INSTRUCTIONS:

1. Complete the Petition/Application for Resentencing or Dismissal, for Reduction or Dismissal/Sealing.
2. Serve a copy to the Tulare County District Attorney and complete the proof of service on the second page of the Petition/Application.

Addresses for the Tulare County District Attorney:

Visalia Division
221 S Mooney Blvd # 224
Visalia, CA 93291643

South County Justice Center
643 N Westwood
Porterville, CA 93257

3. File your Petition/Application with the court at the appropriate location.