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| TULARE COUNTY SUPERIOR COURT <input type="checkbox"/> Porterville Division <input type="checkbox"/> Visalia Division | |
| Plaintiff: THE PEOPLE OF THE STATE OF CALIFORNIA vs. | |
| Defendant: (Your Name) | |
| PETITION AND ORDER FOR DISMISSAL UNDER PENAL CODE SECTION 1210.1(e)(1) | CASE NUMBER: |

STEP 1

I, the undersigned declare that I am the defendant in this criminal action, and that I was convicted on _____ of violating the following section(s) of the Health and Safety Code: 11550 11350 11377 11379 and the following section(s): _____.

I was placed under terms and conditions of probation pursuant to Penal Code Section 1210.1, and have successfully completed all of the probation requirements imposed. I have not illegally used controlled substances or engaged in other criminal activity for the period in excess of _____ months. I have not been charged with or convicted of any other criminal offenses since being placed on probation in this matter. I have also paid all fines, fees and assessments that were ordered as terms of my probation. Accordingly, I hereby petition the court to set aside the conviction and dismiss the complaint in this case pursuant to Penal code Section 1210.1(e)(1), deeming that both the arrest and the conviction never to have occurred.

Executed on _____, 20____ at _____, California.

| | | | |
|-----------------|------------------|-----|-----------------------|
| Mailing address | City | Zip | Defendant's Signature |
| P.O. Box | Telephone Number | | |

STEP 2

PROBATION ACCOUNTING SERVICES CERTIFICATION

(Take this form to Room 204, county courthouse, Visalia to obtain this signature)

This defendant has paid all fines and fees associated with this case.

Dated: _____, 20____ _____
Probation Accounting Services Representative

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STEP 3

HEALTH AND HUMAN SERVICES CERTIFICATON

(Take this form to 132 North Valley Oaks Drive, Visalia to obtain this signature)

This defendant completed the assigned treatment program. Testing results for the past year are provided for the Probation Department to review.

Dated: _____, 20____

Health and Human Services Department Representative

PROBATION DEPARTMENT CERTIFICATION

(Health and Human Services will send this to the Probation Department for this signature)

A check of this defendant’s criminal record indicated that (s)he has no convictions after the date of sentencing in this case and has not missed any tests or tested positive for any illegal use of drugs for at least one year after completing treatment.

Dated: _____, 20____

Probation Officer

STEP 4

After the signatures above are obtained, this form will be sent to you and you must take this form, **with four copies**, to the court clerk and schedule a date for a hearing. To have your case dismissed you must be present at the hearing on:

| | | |
|-------|--|-------------|
| Date: | | Department: |
|-------|--|-------------|

ORDER

It appearing to the court that the defendant herein has successfully completed all requirements of probation imposed pursuant to Penal Code section 12120.1, the conviction in this case is set aside and the complaint or information is dismissed pursuant to Penal Code Section 1210.1(e)(1). In addition, except as noted herein, both the arrest and the conviction shall be deemed never to have occurred. This order does not relieve the defendant of the obligation to disclose the conviction in response to any direct question contained in any questionnaire or application for public office, for a position as a peace officer, for licensure by any state or local agency, in response to direct law enforcement inquiry, for service on a jury or for contracting with the California State Lottery. Dismissal of this action does not permit the defendant to own, possess, or have in his/her custody or control any firearm capable of being concealed upon the person or prevent his/her conviction under Penal Code Section 1202.1. also, in any prosecution for any subsequent offense, this conviction may be proved and have the same effect as if it had not been dismissed.

Dated: _____

Judicial Officer