

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: Todd Ar FIRM NAME: STREET ADDRESS: PO Box CITY: Vacaville STATE: CA ZIP CODE: 95696 TELEPHONE NO.: 415-574-9 FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name): Todd Curtis Ar	FOR COURT USE ONLY
PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT: Todd Curtis A DATE OF BIRTH: 9/11/70	CASE NUMBER: F106122CR
PETITION FOR DISMISSAL (Pen. Code, §§ 17(b), 17(d)(2), 1203.4, 1203.4a, 1203.41, 1203.42, 1203.43, 1203.49)	FOR COURT USE ONLY DATE: TIME: DEPARTMENT:

1. On (date): **4/19/1991**, the petitioner (*the defendant in the above-entitled criminal action*) was convicted of a violation of the following offenses or was granted deferred entry of judgment for the following offenses:

Code	Section	Type of offense (<i>felony, misdemeanor, or infraction</i>):	Eligible for reduction to misdemeanor under Penal Code, § 17(b) (<i>yes or no</i>)	Eligible for reduction to infraction under Penal Code, § 17(d)(2) (<i>yes or no</i>)
HS	11377(a)	misdemeanor	no	no

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

2. **Felony or misdemeanor with probation granted (Pen. Code, § 1203.4)**
 Probation was granted on the terms and conditions stated in the docket of the above-entitled court; the petitioner is not serving a sentence for any offense, on probation for any offense, or under charge of commission of any crime, and the petitioner (*check all that apply*)
- a. has fulfilled the conditions of probation for the entire period thereof.
 - b. has been discharged from probation prior to the termination of the period thereof.
 - c. should be granted relief in the interests of justice. (*Please note: You may explain why granting a dismissal would be in the interests of justice. You can provide that information by writing in the space below, or by attaching a letter or other relevant documents. If you need more space for your writing, you can use the Attached Declaration (form MC-031) and attach it to this petition.*)

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 Todd Curtis Ar [REDACTED]

CASE NUMBER:
 F106122CR

3. **Misdemeanor or infraction with sentence other than probation (Pen. Code, § 1203.4a)**

Probation was not granted; more than one year has elapsed since the date of pronouncement of judgment. Petitioner has complied with the sentence of the court and is not serving a sentence for any offense or under charge of commission of any crime; and the petitioner (*check one*):

- a. has lived an honest and upright life since pronouncement of judgment and conformed to and obeyed the laws of the land; **or**
- b. should be granted relief in the interests of justice. (*Please note: You may explain why granting a dismissal would be in the interests of justice. You can provide that information by writing in the space below or by attaching a letter or other relevant documents. If you need more space for your writing, you can use the Attached Declaration (form MC-031) and attach it to this petition.*)

4. **Misdemeanor conviction under Penal Code section 647(b) (Pen. Code, § 1203.49)**

Petitioner has completed a term of probation for a conviction under Penal Code section 647(b) and should be granted relief because the petitioner can establish by clear and convincing evidence that the conviction was the result of his or her status as a victim of human trafficking.

(*Please note: You may provide evidence that the conviction was the result of your status as a victim of human trafficking. You can provide that information by writing in the space below or by attaching a letter or other relevant documents. If you need more space for your writing, you can use the Attached Declaration (form MC-031) and attach it to this petition.*)

5. **Felony county jail sentence under Penal Code section 1170(h)(5) (Pen. Code, § 1203.41)**

Petitioner is not under supervision under Penal Code section 1170(h)(5)(B); is not serving a sentence for, on probation for, or charged with the commission of any offense; and should be granted relief in the interests of justice, and (*check one*)

- a. more than one year has elapsed since petitioner completed the felony county jail sentence **with** a period of mandatory supervision imposed under Penal Code section 1170(h)(5)(B); **or**
- b. more than two years have elapsed since petitioner completed the felony county jail sentence **without** a period of mandatory supervision imposed under Penal Code section 1170(h)(5)(A).

(*Please note: You may explain why granting a dismissal would be in the interests of justice. You can provide that information by writing in the space below or by attaching a letter or other relevant documents. If you need more space for your writing, you can use the Attached Declaration (form MC-031) and attach it to this petition.*)

PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT: Todd Curtis An	CASE NUMBER: F106122CR
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6. **Felony prison sentence that would have been eligible for a felony county jail sentence after 2011 under Penal Code section 1170(h)(5) (Pen. Code, § 1203.42)**

Petitioner is not under supervision and is not serving a sentence for, on probation for, or charged with the commission of any offense; more than two years have elapsed since petitioner completed the felony prison sentence; and petitioner should be granted relief in the interests of justice.

(Please note: You may explain why granting a dismissal would be in the interests of justice. You can provide that information by writing in the space below or by attaching a letter or other relevant documents. If you need more space for your writing, you can use the Attached Declaration (form MC-031) and attach it to this petition.)

7. **Deferred entry of judgment (Pen. Code, § 1203.43)**

Petitioner performed satisfactorily during the period in which deferred entry of judgment was granted. The criminal charge(s) were dismissed under former Penal Code section 1000.3 on (date): . Furthermore (check one),

- a. court records are available showing the case resolution; **or**
- b. petitioner declares under penalty of perjury that the charges were dismissed after he or she completed the requirements for deferred entry of judgment. Petitioner (check one)
 - (1) has
 - (2) has not

attached a copy of his or her state summary criminal history information.

8. Petitioner requests that the eligible felony offenses listed above be reduced to misdemeanors under Penal Code section 17(b) and eligible misdemeanor offenses be reduced to infractions under Penal Code section 17(d)(2).

9. Petitioner requests that he or she be permitted to withdraw the plea of guilty, or that the verdict or finding of guilt be set aside and a plea of not guilty be entered and the court dismiss this action under the Penal Code section(s) noted above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:  (SIGNATURE OF PETITIONER OR ATTORNEY)

PO Box 8
 (ADDRESS OF PETITIONER)

Vacaville
 (CITY)

CA 95696
 (STATE) (ZIP CODE)

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT: Todd Curtis A [REDACTED]	CASE NUMBER: F106122CR
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DECLARATION

(This form must be attached to another form or court paper before it can be filed in court.)

See Attached

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

Todd A [REDACTED] _____
(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

- Attorney for Plaintiff Petitioner Defendant
- Respondent Other (*Specify*):

I, Todd A [REDACTED], declare as follows:

1. I would like to thank the court for considering giving me the opportunity to put my past behind me. For many years as a younger man I was involved with drugs and criminal activity, but I have been sober and have had a clean record for nearly 12 years.
2. At the age of 16, I started using marijuana and methamphetamines. Soon I was using meth daily. I had a child at 17 who I was never a father to because of my drug use. I have a great relationship with her now, and I'm about to become a grandfather. I had a second child at 24, and I was in and out of her life because of my drug use. She would write and tell me she needed me, but I was often in jail. I was trying to get right so that I could be there for my children, but I couldn't get past my addiction.
3. In 2002 I had a son, but I continued to live the same way. He was taken into foster care at age 4, and then my son's grandfather was able to get temporary custody of him.
4. In 2007, I was arrested for the final time. While I was restrained in the patrol car, my phone rang, and the officer put the phone on speaker. It was my son. Suddenly I was at peace, and I knew that I could do what was necessary for my children. That was the last day I ever did any drugs or committed any crime.
5. After that arrest I was offered a rehabilitation program at the Jericho program in Brisbane. During that program, my son visited me, and I immediately started the process of applying to get custody. When I completed the program, my son came to live with me on a trial basis, and shortly after that I received full custody. My son has lived with me ever since.
6. Since my last conviction and rehab, I have taken many steps to right my wrongs and change myself for the better. I am a faithful member of my church, Father's House. I spend as much time with my extended family as I can, planning family outings, weekends at my parents' ranch, and holiday celebrations. I've repaired my relationships with my older daughters, who are now adults. We have been very close for many years, and I communicate with them almost daily and share in their problems and their triumphs. I now live with my girlfriend, her daughter, my son, and I have joint custody of my youngest daughter. The children are all excelling in school as well as in life. I have also repaired my relationship with my parents, who I had hurt with my drug use and criminal activity, and whom I sometimes did not see for years. We are now very close, and I help them with their household needs, as they are now getting older.
7. I have been steadily employed since I finished rehab. I have worked in construction. For several years I worked at the SaveMart Lucky's Distribution Center until it closed and I was laid off. I went to trucking school and earned my Class A license. I now work for Double M Trucking.
8. I have been very fortunate that I have been able to stay off of drugs, and that by the grace of God I no longer have any desire for drugs. I recognize the harm that I caused to my family and my community, and I regret all the time I lost with my family because of the choices I made. I feel lucky that my children have given me a second chance. Now that all of this is behind me, I would like to have my record reflect the person I am today. It would restore my dignity, and, if I needed to get a new job, it would help me continue to support my family. Attached are letters

from family and community members who can attest to my recovery and my contribution to my community.

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: Todd An [REDACTED] FIRM NAME: STREET ADDRESS: PO Box 8 [REDACTED] CITY: Vacaville STATE: CA ZIP CODE: 95696 TELEPHONE NO.: 415-574- [REDACTED] FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name): Todd Curtis A [REDACTED]	FOR COURT USE ONLY
PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT: Todd Curtis A [REDACTED] DATE OF BIRTH: 9/11/70	
ORDER FOR DISMISSAL (Pen. Code, §§ 17(b), 17(d)(2), 1203.4, 1203.4a, 1203.41, 1203.42, 1203.43, 1203.49)	CASE NUMBER: F106122CR

The court finds from the records on file in this case, and from the foregoing petition, that the petitioner (*the defendant in the above-entitled criminal action*) is eligible for the following requested relief:

1. The court **GRANTS** the petition for reduction of a felony to a misdemeanor (maximum punishment of 364 days per Pen. Code, § 18.5) under Penal Code section 17(b) and/or for reduction of a misdemeanor to an infraction under Penal Code section 17(d)(2) and reduces
 - a. ALL FELONY CONVICTIONS in the above-entitled action.
 - b. ALL MISDEMEANOR CONVICTIONS in the above-entitled action.
 - c. only the following convictions in the above-entitled action (*specify charges and date of conviction*):

2. The court **DENIES** the petition for reduction of a felony to a misdemeanor under Penal Code section 17(b) and/or for reduction of a misdemeanor to an infraction under Penal Code section 17(d)(2) for
 - a. ALL FELONY CONVICTIONS in the above-entitled action.
 - b. ALL MISDEMEANOR CONVICTIONS in the above-entitled action.
 - c. only the following convictions in the above-entitled action (*specify charges and date of conviction*):

3. The court **GRANTS** the petition for dismissal regarding the following convictions under Penal Code (*check all that apply*)

§ 1203.4
 § 1203.4a
 § 1203.41
 § 1203.42
 § 1203.43
 § 1203.49

 and it is ordered that the pleas of guilty or nolo contendere or verdicts or findings of guilt be set aside and vacated and a plea of not guilty be entered and that the complaint or information be, and is hereby, dismissed for (*check one*)
 - a. ALL CONVICTIONS OR PLEAS FOR DEFERRED ENTRY OF JUDGMENT in the above-entitled action.
 - b. only the following convictions or pleas for deferred entry of judgment in the above-entitled action (*specify charges and date of conviction or plea for deferred entry of judgment*):

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4. The court **DENIES** the petition for dismissal under Penal Code (check all that apply)
 § 1203.4 § 1203.4a § 1203.41 § 1203.42 § 1203.43 § 1203.49 for (check one)
- a. ALL CONVICTIONS OR PLEAS FOR DEFERRED ENTRY OF JUDGMENT in the above-entitled action.
- b. only the following convictions or pleas for deferred entry of judgment in the above-entitled action (specify charges and date of conviction or plea for deferred entry of judgment):
5. In granting this order under the provisions of Penal Code section 1203.49, the court finds that the petitioner was a victim of human trafficking when he or she committed the crime. The court orders (check one)
- a. the relief described in section 1203.4.
- b. the relief described in section 1203.4, with the following exceptions (specify):
6. If the order is granted under the provisions of Penal Code section 1203.49, the Department of Justice is hereby notified that petitioner was a victim of human trafficking when he or she committed the crime, and of the relief ordered.
7. If this order is granted under the provisions of Penal Code section 1203.4, 1203.41, or 1203.42,
- a. the petitioner is required to disclose the above conviction in response to any direct question contained in any questionnaire or application for public office, or for licensure by any state or local agency, or for contracting with the California State Lottery Commission; and
- b. dismissal of the conviction does not *automatically* relieve petitioner from the requirement to register as a sex offender. (See, e.g., Pen. Code, § 290.5.)
8. If the order is granted under the provisions of Penal Code section 1203.4, 1203.4a, 1203.41, 1203.42, or 1203.49, the petitioner is released from all penalties and disabilities resulting from the offense except as provided in Penal Code sections 29800 and 29900 (formerly sections 12021 and 12021.1) and Vehicle Code section 13555. In any subsequent prosecution of the petitioner for any other offense, the prior conviction may be pleaded and proved and shall have the same effect as if probation had not been granted or the accusation or information dismissed. The dismissal does not permit a person to own, possess, or have in his or her control a firearm if prevented by Penal Code sections 29800 or 29900 (formerly sections 12021 and 12021.1). Dismissal of a conviction does not permit a person prohibited from holding public office as a result of that conviction to hold public office.
9. In addition, as required by Penal Code section 299(f), relief under Penal Code sections 17(b), 17(d)(2), 1203.4, 1203.4a, 1203.41, 1203.42, or 1203.49 does *not* release petitioner from the separate administrative duty to provide specimens, samples, or print impressions under the DNA and Forensic Identification Database and Data Bank Act (Pen. Code, § 295 et seq.) if petitioner was found guilty by a trier of fact, not guilty by reason of insanity, or pled no contest to a qualifying offense as defined in Penal Code section 296(a).
10. The basis for an order of dismissal granted under the provisions of Penal Code section 1203.43 is the invalidity of defendant's prior plea due to misinformation in former Penal Code section 1000.4 regarding the actual consequences of making a plea and successful completion of a deferred entry of judgment program.

FOR COURT USE ONLY

Date: _____
(JUDICIAL OFFICER)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Todd A [REDACTED] PO Box [REDACTED] Vacaville CA 95696 TELEPHONE NO.: 415-574-[REDACTED] FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Todd Curtis A [REDACTED]	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Solano STREET ADDRESS: 600 Union Avenue MAILING ADDRESS: CITY AND ZIP CODE: Fairfield 94533 BRANCH NAME: Hall of Justice	
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: Todd Anderson OTHER PARENT/PARTY:	CASE NUMBER: F106122CR <i>(If applicable, provide):</i> HEARING DATE: HEARING TIME: DEPT.:
PROOF OF SERVICE BY MAIL	

NOTICE: To serve temporary restraining orders you must use personal service (see form FL-330).

1. I am at least 18 years of age, not a party to this action, and I am a resident of or employed in the county where the mailing took place.
2. My residence or business address is:
LSNC
1810 Capitol St.
Vallejo CA 94590
3. I served a copy of the following documents *(specify)*:
CR 180
CR 181
MC 030
 by enclosing them in an envelope AND
 - a. **depositing** the sealed envelope with the United States Postal Service with the postage fully prepaid.
 - b. **placing** the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
4. The envelope was addressed and mailed as follows:
 - a. Name of person served: **Solano County District Attorney**
 - b. Address: **675 Texas St #4500, Fairfield, CA 94533**
 - c. Date mailed:
 - d. Place of mailing *(city and state)*:
5. I served a request to modify a child custody, visitation, or child support judgment or permanent order which included an address verification declaration. *(Declaration Regarding Address Verification—Postjudgment Request to Modify a Child Custody, Visitation, or Child Support Order (form FL-334) may be used for this purpose.)*
6. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

 (TYPE OR PRINT NAME)



 (SIGNATURE OF PERSON COMPLETING THIS FORM)

If you are getting public benefits, are a low-income person, or do not have enough income to pay for your household's basic needs and your court fees, you may use this form to ask the court to waive your court fees. The court may order you to answer questions about your finances. If the court waives the fees, you may still have to pay later if:

- You cannot give the court proof of your eligibility,
- Your financial situation improves during this case, or
- You settle your civil case for **\$10,000** or more. The trial court that waives your fees will have a lien on any such settlement in the amount of the waived fees and costs. The court may also charge you any collection costs.

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of Solano
Hall of Justice
600 Union Avenue
Fairfield CA 94533

Fill in case number and name:

Case Number:
F106122CR

Case Name:
People v. Ar

1 Your Information (person asking the court to waive the fees):

Name: **Todd Curtis**
 Street or mailing address: **PO Box 8**
 City: **Vacaville** State: **CA** Zip: **95696**
 Phone: **415-574-**

2 Your Job, if you have one (job title):

Name of employer:
 Employer's address:

3 Your Lawyer, if you have one (name, firm or affiliation, address, phone number, and State Bar number):

Todd
PO Box Vacaville CA 95696 415-574-

a. The lawyer has agreed to advance all or a portion of your fees or costs (check one): Yes No

b. (If yes, your lawyer must sign here) Lawyer's signature:

If your lawyer is not providing legal-aid type services based on your low income, you may have to go to a hearing to explain why you are asking the court to waive the fees.

4 What court's fees or costs are you asking to be waived?

- Superior Court (See *Information Sheet on Waiver of Superior Court Fees and Costs* (form FW-001-INFO).)
- Supreme Court, Court of Appeal, or Appellate Division of Superior Court (See *Information Sheet on Waiver of Appellate Court Fees* (form APP-015/FW-015-INFO).)

5 Why are you asking the court to waive your court fees?

- a. I receive (check all that apply; see form FW-001-INFO for definitions): Food Stamps Supp. Sec. Inc. SSP Medi-Cal County Relief/Gen. Assist. IHSS CalWORKS or Tribal TANF CAPI
- b. My gross monthly household income (before deductions for taxes) is less than the amount listed below. (If you check 5b, you must fill out 7, 8, and 9 on page 2 of this form.)

Family Size	Family Income	Family Size	Family Income	Family Size	Family Income	If more than 6 people at home, add \$460.42 for each extra person.
1	\$1,301.05	3	\$2,221.88	5	\$3,142.71	
2	\$1,761.46	4	\$2,682.30	6	\$3,603.13	

c. I do not have enough income to pay for my household's basic needs and the court fees. I ask the court to: (check one and you **must** fill out page 2):

- waive all court fees and costs
- waive some of the court fees
- let me make payments over time

6 Check here if you asked the court to waive your court fees for this case in the last six months. (If your previous request is reasonably available, please attach it to this form and check here:)

I declare under penalty of perjury under the laws of the State of California that the information I have provided on this form and all attachments is true and correct.

Date:

Todd Curtis A
 Print your name here

Sign here



Your name: Todd Curtis Anderson

Case Number:
F106122CR

If you checked 5a on page 1, do not fill out below. If you checked 5b, fill out questions 7, 8, and 9 only. If you checked 5c, you **must** fill out this entire page. If you need more space, attach form MC-025 or attach a sheet of paper and write Financial Information and your name and case number at the top.

7 Check here if your income changes a lot from month to month. If it does, complete the form based on your average income for the past 12 months.

8 **Your Gross Monthly Income**

a. List the source and amount of **any** income you get each month, including: wages or other income from work before deductions, spousal/child support, retirement, social security, disability, unemployment, military basic allowance for quarters (BAQ), veterans payments, dividends, interest, trust income, annuities, net business or rental income, reimbursement for job-related expenses, gambling or lottery winnings, etc.

- (1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____
(4) _____ \$ _____

b. Your total monthly income: \$ _____

9 **Household Income**

a. List the income of all other persons living in your home who depend in whole or in part on you for support, or on whom you depend in whole or in part for support.

Table with columns: Name, Age, Relationship, Gross Monthly Income. Rows (1) through (4) for listing household members.

b. Total monthly income of persons above: \$ _____

Total monthly income and household income (8b plus 9b): \$ _____

10 **Your Money and Property**

- a. Cash \$ _____
b. All financial accounts (List bank name and amount):
(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____

c. Cars, boats, and other vehicles. Table with columns: Make / Year, Fair Market Value, How Much You Still Owe. Rows (1) through (3).

d. Real estate. Table with columns: Address, Fair Market Value, How Much You Still Owe. Rows (1) through (2).

e. Other personal property (jewelry, furniture, furs, stocks, bonds, etc.):. Table with columns: Describe, Fair Market Value, How Much You Still Owe. Rows (1) through (2).

11 **Your Monthly Deductions and Expenses**

- a. List any payroll deductions and the monthly amount below:
(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____
(4) _____ \$ _____

- b. Rent or house payment & maintenance \$ _____
c. Food and household supplies \$ _____
d. Utilities and telephone \$ _____
e. Clothing \$ _____
f. Laundry and cleaning \$ _____
g. Medical and dental expenses \$ _____
h. Insurance (life, health, accident, etc.) \$ _____
i. School, child care \$ _____
j. Child, spousal support (another marriage) \$ _____
k. Transportation, gas, auto repair and insurance \$ _____

- l. Installment payments (list each below):
Paid to:
(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____

m. Wages/earnings withheld by court order \$ _____

- n. Any other monthly expenses (list each below).
Paid to: How Much?
(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____

Total monthly expenses (add 11a - 11n above): \$ _____

To list any other facts you want the court to know, such as unusual medical expenses, etc., attach form MC-025 or attach a sheet of paper and write Financial Information and your name and case number at the top.

Check here if you attach another page.

Important! If your financial situation or ability to pay court fees improves, you must notify the court within five days on form FW-010.