

Person Filing: \_\_\_\_\_  
Address (if not protected): \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Representing  Self or  Lawyer for \_\_\_\_\_  
Lawyer's Bar Number: \_\_\_\_\_

**SUPERIOR COURT OF ARIZONA**  
**IN \_\_\_\_\_ COUNTY**

**STATE OF ARIZONA,**  
**PLAINTIFF**

**Case Number:** \_\_\_\_\_

**APPLICATION TO DESIGNATE A**  
**CLASS 6 UNDESIGNATED FELONY**  
**AS A MISDEMEANOR**

\_\_\_\_\_,  
**DEFENDANT**

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I was convicted of \_\_\_\_\_,  
a class 6 undesignated felony, by Judge \_\_\_\_\_, in the Superior Court in \_\_\_\_\_  
County.

This was either my first or second felony conviction. In addition, this class 6 felony conviction was not a dangerous offense in that it did not involve the intentional or knowing infliction of serious physical injury or the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument.

The checked items apply to this application.

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I completed the conditions of my probation and the Probation Department's order discharging me from probation is in the Court file or attached to this form,

OR

I am still on probation. My Probation Officer's name is \_\_\_\_\_,  
AND

I have complied with all required terms of my probation (including all employment, classes, community service, restitution, drug/alcohol testing, or other requirements),

OR

Case Number: \_\_\_\_\_

[ ] I have not complied with all terms of my probation.

If you have not complied with all terms of your probation, explain below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[ ] I have been charged with or convicted of a felony offense since the date of my conviction for this offense. The case number and charges are as listed below.

Case Number	Name/type Felony Offense(s) Charged or Convicted of
_____	_____
_____	_____
_____	_____
_____	_____

I request that the class 6 undesignated felony of which I was convicted in this case, be designated a misdemeanor for the following reason(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Therefore, based on A.R.S. § 13-604, I respectfully request this Court designate the offense a misdemeanor.

Submitted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Defendant's Signature

\_\_\_\_\_  
Defendant's Printed Name

CERTIFICATE OF MAILING

Original + one copy filed with the Clerk of the Court this (date)

\_\_\_\_\_  
Month                      Date                      20\_\_\_\_  
Year

One copy of this document was sent via first class mail or hand-delivered this (date),

\_\_\_\_\_  
Month                      Date                      20\_\_\_\_  
Year

**To:**  
The \_\_\_\_\_ County Attorney at:  
Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_

OR, if the case was prosecuted by the Attorney General rather than the County Attorney,

**To:**  
Arizona Attorney General's Office  
1275 West Washington Street  
Phoenix, Arizona 85007



**SUPERIOR COURT OF ARIZONA**  
**IN \_\_\_\_\_ COUNTY**

**STATE OF ARIZONA,**  
**PLAINTIFF**

**Case Number:** \_\_\_\_\_

v.

**ORDER TO DESIGNATE A  
CLASS 6 UNDESIGNATED  
FELONY A MISDEMEANOR**

\_\_\_\_\_  
**DEFENDANT**

There being good cause, IT IS ORDERED designating the class 6 undesignated felony for the conviction of the offense of \_\_\_\_\_, a misdemeanor.

**Done in open court this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.**

\_\_\_\_\_  
**Judicial Officer**

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF PIMA

STATE OF ARIZONA

Plaintiff

vs.

\_\_\_\_\_  
Defendant  
\_\_\_\_\_

CR-

NOTICE OF HEARING

PLEASE TAKE NOTICE that the Application Pro Per to Designate a Class 6 Undesignated Offense will be brought on for hearing before the Pima County Superior Court on the \_\_\_\_ day of \_\_\_\_\_, 200\_\_, at the hour of \_\_\_\_\_ a.m./p.m., or as soon thereafter as it may be heard.

DATED this \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
Defendant

Distribution:  
Division \_\_\_\_\_  
Pima County Attorney  
Adult Probation  
Defendant/Attorney

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Address

## SELF-SERVICE CENTER

### INSTRUCTIONS FOR APPLYING FOR CLASS 6 UNDESIGNATED FELONY TO BE DESIGNATED A MISDEMEANOR

Please read the following before completing the attached Application, Order, and Notice of Hearing.

Any information needed from the court to fully complete the Application, Order, and Notice of Hearing is available from the Clerk of the Court. Hours are 8:00 a.m. to 5:00 p.m., excluding holidays and weekends.

**Eligibility: To be eligible to have your class 6 felony designated a misdemeanor, the following must apply:**

1. The class six felony conviction must be undesignated at the time of the application. You are not eligible for relief if the Court designated it a felony or the parties stipulated at the time of sentencing that the offense would be a designated felony.
2. Prior to admitting to or being found guilty to the class 6 undesignated felony, you had not been convicted of two felony offenses.
3. The class 6 felony did not involve the intentional or knowing infliction of serious physical injury.
4. The class 6 felony did not involve the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument.
  - **Deadly weapon** means anything designed for lethal use, including a firearm.
  - **Dangerous instrument** means anything that under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.

#### **1<sup>st</sup> Form: APPLICATION TO DESIGNATE A CLASS 6 UNDESIGNATED FELONY AS A MISDEMEANOR**

- Fill out the Entire Application
- Write in your name as "Defendant," the case number, and the name of the class 6 felony to which you plead guilty or were otherwise convicted.
- In the body of the Application, explain what you are requesting and why. For example: "I want my felony conviction of a class 6 undesignated felony reduced to a misdemeanor to improve my ability to obtain employment."
- Sign and date the Application in the space provided.

#### **2<sup>nd</sup> Form: ORDER DESIGNATING CLASS 6 FELONY AS A MISDEMEANOR**

- Write in your name as "Defendant", the case number, and the name of the class 6 felony to which you plead guilty or were otherwise convicted.

#### **3<sup>rd</sup> Form: NOTICE OF HEARING**

- Write in your name as "Defendant," the case number, and your mailing address in the spaces provided.
- Leave blank the spaces for date and time of hearing. If the Court decides to hold a hearing on your Application, the Court will enter the date and time of hearing on the Notice.

**NEXT:** Submit the Application, the proposed Order, and Notice of Hearing to the Clerk of Court for filing and distribution. For more information, go to the "Procedures" page for additional information and instructions.