

H4

**REDUCE CLASS 6
UNDESIGNATED
FELONY to a**

MISDEMEANOR

Forms and Instructions

SELF-SERVICE CENTER

**APPLICATION TO REDUCE
CLASS 6 UNDESIGNATED FELONY
to a MISDEMEANOR**

CHECKLIST

You may use these forms if . . .

- ✓ The class six felony conviction is undesignated at the time of this application.
- ✓ Prior to admitting to or being found guilty of this class 6 undesignated felony, you had **not** been convicted of two felony offenses.
- ✓ The class 6 felony did **not** involve the intentional or knowing infliction of serious physical injury.
- ✓ 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.
- ✗ ***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.

READ ME: Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks, as well as a list of court-approved mediators can be found on the Self-Service Center website.

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____

For Clerk's Use Only

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN GRAHAM COUNTY

**STATE OF ARIZONA,
PLAINTIFF**

CASE NO: _____

v.

**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 Graham County Superior Court.

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 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

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 _____, 20____
Month Date Year

One copy of this document was sent via first class mail or hand-delivered this (date below),
_____, 20____
Month Date Year

To:

**GRAHAM COUNTY ATTORNEY'S OFFICE
800 W MAIN ST
SAFFORD, AZ 85546**

**SUPERIOR COURT OF ARIZONA
IN GRAHAM COUNTY**

STATE OF ARIZONA,

CASE NO: _____

PLAINTIFF

v.

**ORDER TO DESIGNATE
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