

1 **SUPERIOR COURT**  
2 **COUNTY OF SAN BERNARDINO**  
3 247 West Third Street, Eleventh Floor  
4 San Bernardino, CA 92415

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8 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF SAN BERNARDINO**  
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11 **IN RE:**

12 **FILING AND ASSIGNING PENAL CODE**  
13 **§ 1170.95 PETITIONS.**

11 **GENERAL ORDER**

12 **FILING LOCATION OF PENAL CODE §**  
13 **1170.95 PETITIONS AND DESIGNATION**  
14 **OF ANOTHER JUDGE TO RULE WHEN**  
15 **THE ORIGINAL SENTENCING JUDGE IS**  
16 **UNAVAILABLE**

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18 A petition pursuant to Penal Code § 1170.95 is to be filed in the courthouse  
19 where the sentencing took place. The Court Executive Office does not accept filings. If  
20 the courthouse where sentencing took place no longer hears felony cases, then the  
21 petition is to be filed in the courthouse that currently covers the court district in which  
22 the original sentencing took place. For example, if sentencing took place in the Fontana  
23 Courthouse, the petition is to be filed at the Rancho Cucamonga Courthouse; if  
24 Barstow, the petition is to be filed at the Victorville Courthouse.

25 A judge who presided over the original sentencing will hear the petition, even if  
26 he or she has been assigned to preside over a non-criminal calendar.  
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1 If the original sentencing judge is unavailable, pursuant to Rule of Court  
2 10.603(d), I delegate my authority to designate another judge to rule on the petition to  
3 the supervising judge of the criminal calendar or courthouse where the petition is filed.

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5 This order is effective January 1, 2020, and supersedes all previous general  
6 orders entitled *Filing Location of Penal Code 1170.95 Petitions and Designation of*  
7 *another Judge to Rule When the Original Sentencing Judge is Unavailable*, issued by  
8 previous Presiding Judges. This order shall remain in effect until December 31, 2021

9 Dated this 1<sup>st</sup> day of January, 2020.

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14 Michael A. Sachs  
15 Presiding Judge  
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