Name (SBN\_\_\_\_\_\_\_\_\_\_)

Address

Phone | Fax

Email

superior court of the state of california

for the county of san joaquin

|  |  |
| --- | --- |
| the people of the state of california,  Plaintiff,  vs.  Eloy Duarte,  Defendant | Case No.: \_\_\_\_\_\_\_\_\_  Date: \_\_\_\_\_\_\_\_\_\_\_\_\_, 2019  Time:  Dept:  Judge: ­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  [Proposed] ORDER GRANTING Penal Code Section 1203.43 Motion |

**[PROPOSED] ORDER**

Upon notice and hearing, and good cause appearing, IT IS HEREBY ORDERED that the Defendant’s motion under Penal Code section 1203.43 is GRANTED. Pursuant to Penal Code section 1203.43, the defendant’s [DATE] plea of guilty or nolo contendere to [offense] is withdrawn and the charge or charges are dismissed based on legal invalidity, because the information given to the defendant under Penal Code section 1000.4 “constitutes misinformation about the actual consequences of making a plea in the case,” and this misinformation may cause potential harm to the defendant. Penal Code § 1203.43(a).

DATED: By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_