

*Clerk stamps date here when form is filed.***Instructions**

- ÿ This form is only for requesting to waive (give up) oral argument in a **misdemeanor** case.
- ÿ Before you fill out this form, read *Information on Appeal Procedures for Misdemeanors* (form CR-131-INFO) to know your rights and responsibilities. You can get form CR-131-INFO at any courthouse, or county law library, or online at [www.courts.ca.gov/forms.htm](http://www.courts.ca.gov/forms.htm).
- ÿ Fill out this form and make a copy of the completed form for your records.
- ÿ Take or mail the completed form to the appellate division clerk's office. It is a good idea to take or mail an extra copy to the clerk and ask the clerk to stamp it to show that the original has been filed.

You fill in the name and street address of the court that issued the judgment or order you are appealing:

**Superior Court of California, County of**

You fill in the number and name of the trial court case in which you are appealing the judgment or order:

**Trial Court Case Number:****Trial Court Case Name:***The People of the State of California v.*

You fill in the appellate division case number (if you know it):

**Appellate Division Case Number:****1 Your Information**

- a. Name of party requesting to waive oral argument:

\_\_\_\_\_

Street address: \_\_\_\_\_  
Street City State Zip

Mailing address (if different): \_\_\_\_\_  
Street City State Zip

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

- b. Party's lawyer (skip this if the court has permitted you to represent yourself in this appeal):

Name: \_\_\_\_\_ State Bar number: \_\_\_\_\_

Street address: \_\_\_\_\_  
Street City State Zip

Mailing address (if different): \_\_\_\_\_  
Street City State Zip

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Fax: \_\_\_\_\_

Case Name: \_\_\_\_\_

**NOTICE**

Except in cases that raise no arguable issues under *People v. Wende* (1979) 25 Cal.3d 436, in all misdemeanor appeals, the court schedules oral argument. Parties may waive oral argument by filing a notice of waiver of oral argument within 7 days after the notice of oral argument is sent.

If all parties in the case waive oral argument, the court may vacate the oral argument and take it off the calendar. If the court vacates oral argument, you will receive notification from the court.

If not all parties waive oral argument, or if the court does not accept the waiver request, the court will not vacate oral argument and it will remain on the court's calendar. All parties will be able to participate in the oral argument, including any parties who previously requested a waiver.

**2 Request to Waive Oral Argument** (check (a) or (b)):

- a.  I am the appellant's attorney. I have read this form and I am requesting to waive oral argument. I understand that by signing this form, I am waiving the opportunity to appear in court and argue the case on behalf of my client. I have informed my client that I am waiving oral argument. I also understand that if all parties waive oral argument and the court accepts the waiver and takes the oral argument off the calendar, the court will decide the appeal based on the briefs and the record that were submitted.
- b.  The appellate division has permitted me to represent myself in this appeal. I have read this form and I am requesting to waive oral argument. **I understand that by signing this form, I am waiving (giving up) the opportunity to appear in court and argue the case.** I also understand that if all parties waive oral argument and the court accepts the waiver and takes the oral argument off the calendar, the court will decide the appeal based on the briefs and the record that were submitted.

Date: \_\_\_\_\_

\_\_\_\_\_  
Type or print your name\_\_\_\_\_  
Signature of party or attorney