

Instructions

- ÿ This form is only for preparing a statement on appeal in an **infraction** case, such as a case about a traffic ticket.
- ÿ Before you fill out this form, read *Information on Appeal Procedures for Infractions* (form CR-141-INFO) to know your rights and responsibilities. You can get form CR-141-INFO at any courthouse or county law library or online at www.courts.ca.gov/forms.
- ÿ This form can be filed at the same time as your notice of appeal. If it is not filed with your notice of appeal, this form must be filed **no later than 20 days after you file your notice of appeal. If you have chosen to use a statement on appeal and do not file this form on time, the court may dismiss your appeal.**
- ÿ Fill out this form and make a copy of the completed form for your records and for each of the other parties.
- ÿ You must serve a copy of the completed form on each of the other parties in the case and keep proof of this service. You can get information about how to serve court papers and proof of service from *What Is Proof of Service?* (form APP-109-INFO) and on the California Courts Online Self-Help Center at www.courts.ca.gov/selfhelp-serving.htm.
- ÿ Take or mail the completed form and proof of service on each of the other parties to the clerk's office for the same trial court that issued the judgment or order you are appealing. 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.

Clerk stamps date here when form is 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. Appellant (the party who is filing this appeal):

Name: _____

Street address: _____

Street City State Zip

Mailing address (if different): _____

Street City State Zip

Phone: _____ Email: _____

- b. Appellant's lawyer (skip this if the appellant is filling out this form):

The lawyer filling out this form (check (1) or (2)):

(1) was the appellant's lawyer in the trial court. (2) is the appellant's lawyer for this appeal.

Name: _____ State Bar number: _____

Street address: _____

Street City State Zip

Mailing address (if different): _____

Street City State Zip

Phone: _____ Email: _____

Fax: _____

Trial Court Case Number: _____

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Information About Your Appeal

2 On (fill in the date): _____, I/my client filed a Notice of Appeal and Record on Appeal (Infraction), choosing to use a statement on appeal as the record of what was said in this case.

Proposed Statement

3 Reasons for Your Appeal

Remember, in an appeal, the appellate division can only review a case for whether certain kinds of legal errors were made in the trial court proceedings (read form CR-141-INFO to learn about these legal errors):

Y There was not "substantial evidence" supporting the judgment, order, or other decision you are appealing.

Y A "prejudicial error" was made during the trial court proceedings.

The appellate division:

Y Cannot retry your case or take new evidence.

Y Cannot consider whether witnesses were telling the truth or lying.

Y Cannot consider whether there was more or stronger evidence supporting your position than there was supporting the trial court's decision.

(Check all that apply and describe the legal error or errors you believe were made that are the reason for this appeal.)

a. There was not substantial evidence that supported the judgment, order, or other decision that I/my client indicated in the notice of appeal that is being appealed in this case. (Explain why you think the judgment, order, or other decision was not supported by substantial evidence): _____

b. The following error or errors about either the law or court procedure was/were made that caused substantial harm to me/my client. (Describe each error and how you were/your client was harmed by that error.)

(1) Describe the error: _____

Describe how this error harmed you/your client: _____

(2) Describe the error: _____

Describe how this error harmed you/your client: _____

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- 3 b. (3) Describe the error: _____

 Describe how this error harmed you/your client: _____

Check here if you need more space to describe these or other errors and attach a separate page or pages describing the errors. At the top of each page, write "CR-143, item 3."

4 The Charges Against Me/My Client

- a. If the charges against you/your client are based on a citation (ticket) you received, provide the citation number (fill in the citation number from your ticket): _____
- b. The charges against me/my client were (list all of the charges indicated on the citation or complaint filed by the prosecutor with the court): _____

- c. I/My client (check (1), (2), or (3))
 - (1) pleaded not guilty to all of the charges.
 - (2) pleaded guilty to only the following charges: _____

 - (3) pleaded guilty to all of the charges.

5 Summary of Any Motions and the Court's Order on the Motion

- a. Were any motions (requests for the trial court to issue an order) made in this case that are relevant to the reasons you gave in 3 for this appeal?
 Yes (fill out b) No (skip to item 6)
 - b. In the spaces below, describe any motions (requests for orders) that were made in the trial court that are relevant to the reasons you gave in 3 for this appeal. Write a complete and accurate summary of what was said at any hearings on these motions and indicate how the trial court ruled on these motions:
 - (1) I/My client made the following requests (motions) in the trial court (check all that apply):
 - (a) To submit a photograph or photographs as evidence (describe the photographs):

- There was was not a hearing on this motion.

Trial Court Case Name: _____

5 b. (1) (a) If there was a hearing on this motion, write a complete and accurate summary of what was said at this hearing: _____

The court did did not accept the photographs.

Check here if you need more space to describe the motion and attach a separate page or pages describing it. At the top of each page write "CR-143, item 5b(1)(a)."

(b) To submit a map or maps as evidence (describe the maps): _____

There was was not a hearing on this motion.

If there was a hearing on this motion, write a complete and accurate summary of what was said at this hearing: _____

The court did did not accept the maps.

Check here if you need more space to describe the motion and attach a separate page or pages describing it. At the top of each page write "CR-143, item 5b(1)(b)."

(c) To submit other material as evidence (describe what you asked to submit as evidence): _____

There was was not a hearing on this motion.

If there was a hearing on this motion, write a complete and accurate summary of what was said at this hearing: _____

The court did did not accept this material.

Check here if you need more space to describe the motion and attach a separate page or pages describing it. At the top of each page write "CR-143, item 5b(1)(c)."

(d) Other (describe any other request you made in the trial court and whether the court granted or denied this request): _____

Check here if you need more space to describe the motion and attach a separate page or pages describing it. At the top of each page write "CR-143, item 5b(1)(d)."

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Trial Court Case Name: _____

5 b.(2) The prosecutor made the following request (motion) in the trial court (describe any request the prosecutor made in the trial court and whether the court granted or denied this request):

There was was not a hearing on this motion.

If there was a hearing on this motion, write a complete and accurate summary of what was said at this hearing: _____

The court did did not grant this motion.

Other (describe any other action the trial court took on this motion): _____

Check here if you need more space to describe the motion and attach a separate page or pages describing it. At the top of each page write "CR-143, item 5b(2)."

(3) Check here if other motions were filed that are relevant to the reasons you gave in 3 for this appeal, and attach a separate page or pages describing these other motions, identifying who made them and whether there was a hearing on the motion, summarizing what was said at the hearing on the motion, and indicating whether the trial court granted or denied the motion. At the top of each page, write CR-143, item 5b(3).

6 Summary of Testimony and Other Evidence

a. Was there a trial in your case?

No (skip items b, c, d, e, and f and go to item 7)

Yes (complete items b, c, d, e, and f)

b. Did you/your client testify at the trial?

No

Yes (Write a complete and accurate summary of the testimony you/your client gave that is relevant to the reasons you gave in 3 for this appeal. Include only what you actually said; do not comment on or give your opinion about what you said. Please indicate whether any objections were made concerning your/your client's testimony or any exhibits you/your client asked to present and whether these objections were sustained.): _____

Check here if you need more space to summarize your/your client's testimony and attach a separate page or pages summarizing this testimony. At the top of each page, write "CR-143, Item 6b."

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6 c. Did an officer from the police department, sheriff's office, or other government agency that charged you/your client testify at the trial? (Check one):

No

Yes (complete (1) and (2)):

- (1) The name of the officer who testified is (fill in the officer's name): _____
- (2) This officer testified that (Write a complete and accurate summary of the officer's testimony that is relevant to the reasons you gave in 3 for this appeal. Include only what the officer actually said; do not comment on or give your opinion about what the officer said. Please indicate whether any objections were made concerning the officer's testimony or any exhibits the officer asked to present and whether these objections were sustained.): _____

Check here if you need more space to summarize the officer's testimony and attach a separate page or pages summarizing this testimony. At the top of each page, write "CR-143, Item 6c."

d. Were there any other witnesses at the trial?

No

Yes (fill out (1)-(4)):

- (1) The witness's name is (fill in the witness's name): _____
- (2) The witness was was not an officer from the government agency that charged me/my client.
- (3) The witness testified on behalf of me/my client the prosecution.
- (4) This witness testified that (Write a complete and accurate summary of the witness's testimony that is relevant to the reasons you gave in 3 for this appeal. Include only what the witness actually said; do not comment on or give your opinion about what the witness said. Please indicate whether any objections were made concerning the witness's testimony or any exhibits the witness asked to present and whether these objections were sustained.): _____

e. Check here if other witnesses gave testimony at the trial that is relevant to the reasons you gave in 3 for this appeal. Attach a separate page or pages identifying each other witness that testified at your trial, stating whether that witness testified on your/your client's behalf or the prosecution's behalf, summarizing the witness's testimony that is relevant to the reasons you gave in 3 for this appeal, and indicating whether any objections were made concerning the witness's testimony or any exhibits the witness asked to present and whether these objections were sustained. At the top of each page, write "CR-143, item 6e."

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- 6 f. Summarize the evidence, other than the testimony, that was given during the trial that is relevant to the reasons you gave in 3 for this appeal (Write a complete and accurate summary of the evidence given by both you and the respondent. Include only the evidence; do not comment or give your opinion about this evidence.):

Check here if you need more space to summarize the evidence and attach a separate page or pages summarizing this evidence. At the top of each page, write "CR-143, Item 6f."

7 The Trial Court's Findings

- a. I/My client was found guilty of the following offenses (list all of the offenses for which you were/your client was found guilty): _____

- b. I/My client was found not guilty of the following offenses (list all of the offenses for which you were/your client was found not guilty): _____

- c. The following charges were dismissed after proof of correction was shown to the judge (list all of the charges that were dismissed): _____

8 The Sentence

The trial court imposed the following fine or other punishment on me/my client (check all that apply and fill in any required information):

- a. A fine of (fill in the amount of the fine): \$ _____
- b. Traffic school
- c. Community service (fill in the number of hours): _____
- d. Other punishment (describe any other punishment that the court imposed in this case): _____

REMINDER: You must serve and file this form no later than 20 days after you file your notice of appeal. If you do not file this form on time, the court may dismiss your appeal.

Date: _____

Type or print name

▶ _____
Signature of appellant or attorney