

Clerk stamps date here when form is filed.

Instructions

- This form is only for preparing a proposed statement on appeal in an **unlimited civil case**.
- This form can be attached to your *Appellant's Notice Designating Record on Appeal (Unlimited Civil Case)* (form APP-003). If your proposed statement is not attached to that notice, it must be filed **no later than 30 days after you file that notice, or, if you had to file a motion requesting to use a settled statement, within 30 days after you are served with an order granting that motion. If you have chosen to prepare a settled statement and do not file your proposed statement on time, the court may dismiss your appeal.**
- Fill out this form and attach a copy of the judgment or order you are appealing. Make a copy of the completed form and attachment for your records and for each of the other parties.
- Serve a copy of the completed form and attachment on each of the other parties and keep proof of this service. You can get information about how to serve court papers and proof of service from *Information Sheet for Proof of Service* (form APP-009-INFO) and on the California Courts Online Self-Help Center at www.courts.ca.gov/selfhelp-serving.htm.
- Take or mail the original completed form, attachment, and proof of service on the other parties to the clerk's office for the same 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.

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:**

You fill in the Court of Appeal case number (if you know it):

Court of Appeal Case Number:**1 Your Information**

- a. Name of Appellant (
- the party who is filing this appeal*
-)

Name: _____

- b. Appellant's contact information (
- skip this if the appellant has a lawyer for this appeal*
-)

Street address: _____
Street City State ZipMailing address (*if different*): _____
Street or P.O. Box City State Zip

Phone: _____ E-mail: _____

- c. Appellant's lawyer (
- skip this if the appellant does not have a lawyer for this appeal*
-)

Name: _____ State Bar number: _____

Firm Name: _____

Street address: _____
Street City State ZipMailing address (*if different*): _____
Street or P.O. Box City State Zip

Phone: _____ E-mail: _____

Fax: _____



2 Information About Your Appeal

- a. On (fill in the date): _____, I filed a notice of appeal in the trial court case identified in the box on page 1 of this form. A copy of the judgment or order I am appealing is attached.
b. On (fill in the date): _____
I filed a notice designating the record on appeal, electing to use a settled statement.
The Court sent me The other party served me with an order granting my motion to use a settled statement.

Proposed Statement

3 Reasons for Your Appeal

Please note that, in an appeal, the Court of Appeal can review a case only for whether certain kinds of legal errors were made, as follows:

- There was not "substantial evidence" supporting the judgment, order, or other decision you are appealing.
• A "prejudicial error" was made during the trial court proceedings.

The Court of Appeal

- Cannot retry your case or take new evidence.
• Cannot consider whether witnesses were telling the truth or lying.
• 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 attached judgment or order that I am appealing in this case. (Explain why you think the judgment or order was not supported by substantial evidence):

- Check here if you need more space and attach a separate page or pages describing the lack of substantial evidence. You can use form MC-025 for this attachment. At the top of each page, write "APP-014, item 3.a."

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

(1) Describe the error: _____

Describe how you were harmed by the error: _____

Trial Court Case Name: _____

3 b. (2) Describe the error: _____

Describe how you were harmed by the error: _____

(3) Describe the error: _____

Describe how you were harmed by the error: _____

Check here if you need more space to describe these or other errors and attach a separate page or pages describing the errors. You can use form MC-025 for this attachment. At the top of each page, write "APP-014, item 3.b."

4 **The Dispute**

a. In the trial court, I was the (check one):

- Plaintiff/Petitioner (the party who filed the complaint/petition in the case).
- Defendant/Respondent (the party against whom the complaint/petition was filed).

b. The plaintiff's/petitioner's complaint/petition in this case was about (briefly describe what was claimed in the complaint/petition filed with the trial court): _____

c. The defendant's/respondent's response to this complaint/petition was (briefly describe how the defendant/respondent responded to the complaint filed with the trial court): _____

Check here if you need more space to describe the dispute and attach a separate page or pages describing it. You can use form MC-025 for this attachment. At the top of each page, write "APP-014, item 4."

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

a. Are you appealing an order by the trial court on a motion (request for the trial court to issue an order) made by you or another party in this case?

- Yes (fill out (1)-(5) below) No (skip to b.)

(1) Describe the motion that resulted in the order you are appealing: _____

(2) The motion was filed by the plaintiff/petitioner defendant/respondent on (date): _____.

(3) 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: _____

(4) The trial court granted this motion denied this motion.

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

Check here if you need more space to describe this motion and attach a separate page or pages describing this motion. You can use form MC-025 for this attachment. At the top of each page, write "APP-014, item 5a."

b. Were any motions (requests for the trial court to issue an order) made in this case, other than a motion described in a., that are relevant to the reasons you gave in 3 for this appeal?

- Yes (fill out c.) No (skip to 6)

c. 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) First motion
(a) Describe the motion: _____

(b) The motion was filed by the plaintiff/petitioner defendant/respondent on (date): _____.

5 c. (1) (c) 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: _____

(d) The trial court granted denied this motion.

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

Check here if you need more space to describe this motion and attach a separate page or pages describing this motion. You can use form MC-025 for this attachment. At the top of each page, write "APP-014, Item 5c(1)."

(2) Second motion

(a) Describe the motion: _____

(b) The motion was filed by the plaintiff/petitioner defendant/respondent on (date): _____.

(c) 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: _____

(d) The trial court granted denied this motion.

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

Check here if you need more space to describe this motion and attach a separate page or pages describing this motion. You can use form MC-025 for this attachment. At the top of each page, write "APP-014, item 5c(2)."

Trial Court Case Name: _____

- 5 c. (3) Check here if any other motions were filed that are relevant to the reasons you gave in 3 for this appeal and attach a separate page describing each motion, identifying who made the motion 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. You can use form MC-025 for this attachment. At the top of each page, write "APP-014, item 5c(3)."

6 Summary of Testimony and Other Evidence

a. Was there a trial in your case?

- No (skip to item 7)
- Yes (check (1) or (2) and complete items b., c., d., and e.)
 - (1) Jury trial
 - (2) Trial by judge only

b. Did you testify at the trial?

- No
- Yes (Write a complete and accurate summary of the testimony you gave that is relevant to the reasons you gave in 3 for this appeal. Include only what you actually said; do not comment or give your opinion about what was said. Please indicate whether any objections were made concerning your testimony or any exhibits you asked to present and whether these objections were sustained.):

- Check here if you need more space to summarize your testimony and attach a separate page or pages summarizing this testimony. You can use form MC-025 for this attachment. At the top of each page, write "APP-014, item 6b."

c. Were there any other witnesses at the trial whose testimony is relevant to the reasons you gave in 3 for this appeal?

- No
- Yes (complete items (1), (2), and (3)):
 - (1) The witness's name is (fill in the witness's name): _____
 - (2) The witness testified on behalf of the (check one): plaintiff/petitioner defendant/respondent

6 c. (3) 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 this witness’s testimony or any exhibits this witness asked to present and whether these objections were sustained.)*: _____

Check here if you need more space to summarize this witness’s testimony and attach a separate page or pages summarizing this testimony. You can use form MC-025 for this attachment. At the top of each page, write “APP-014, item 6c.”

d. Check here if any 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 witness and who the witness testified for, summarizing what that witness said in his or her testimony that is relevant to the reasons you gave in 3 for this appeal, and indicating whether any objections were made concerning this witness’s testimony or any exhibits the witness asked to present and whether these objections were sustained. At the top of each page, write “APP-014, item 6d.”

e. Summarize the evidence, other than 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 given; do not comment on or give your opinion about this evidence:

Check here if you need more space to describe the evidence and attach a separate page or pages describing the evidence. You can use form MC-025 for this attachment. At the top of each page, write “APP-014, item 6e.”

