

NOTICE OF DEFENDANT'S RIGHT TO APPEAL

Upon a trial held on this date, _____, you were found guilty and judgment was entered accordingly. The Wisconsin Statutes provide that you have the right to appeal that judgment to the Circuit Court of the county where the offense allegedly occurred. If you decide to appeal, you must file a written notice of your decision to do so, and pay the statutorily required appellate fees and costs as explained below, with twenty (20) days from the above date.

You may satisfy all of the statutory requirements for an appeal and choose one of the three forms of appeal, explained below, by completing and filing this notice with _____ Municipal Court.

Transcript Review: If you request this form of appeal, a written transcript of the testimony will be produced. It and all other evidence that was presented during the municipal court trial will be sent for review to a circuit court judge. A circuit court judge will read the transcript of the testimony and consider any exhibits that were introduced. Unless the circuit court judge determines that the municipal judge's findings of fact were clearly erroneous, the decision will not be reversed. Please note that if the municipal attorney requests a New Trial (#2) within twenty (20) days of your request for a Transcript Review, this request will take precedence and there will be no transcript review.

New Trial Before Circuit Court Judge Without a Jury: In this form of appeal, a new trial will be held at the county courthouse. Each side may bring as many witnesses as they like, even if those witnesses did not appear at the municipal court trial. The circuit court judge decides whether the defendant is guilty or not guilty based on the evidence that is introduced at the new trial.

New Trial in Circuit Court Before a Six-Person Jury: As in #2, a new trial will be held. However, although a circuit judge will preside over the trial, a jury will decide if the defendant is guilty or not.

Note: Statutes require that you must either remit the total amount of the forfeiture plus costs assessed against you upon being found guilty in this court or execute a bond whereby you will become bound to pay any forfeiture and costs awarded on appeal if the municipal court judgment is upheld in whole or in part. If you cannot post the required bond within twenty days, you may request an indigency hearing before this Court. If you cannot post the required appeals fees, you must request an indigency hearing before the circuit court within twenty days of the above date.

I, the undersigned defendant, hereby appeal from the judgment of the municipal court entered on the above date. I understand that my signature complies with the bond requirement explained above and I am including herewith the appellate filing fees appropriate to my request as noted below.

_____ **Transcript Review** (Include \$139.50 cash or two checks, one payable to "Clerk of Court" for \$129.50 and one payable to Beaver Dam Municipal Court for \$10). Note, if upon appeal you are again found guilty, the circuit court may assess the actual costs of producing the transcript.

_____ **New Trial Before Circuit Court Judge Without a Jury** (Include cash or check payable to "Clerk of Courts" in the amount of \$144.50).

_____ **New Trial in Circuit Court Before a Six-Person Jury** (Include cash or check payable to "Clerk of Courts" in the amount of \$180.50).

Dated: _____

Signature: _____