

NOTICE OF RIGHT TO APPEAL

As a result of a trial held on _____, you were found guilty and a judgment was entered. Sec. 800.14, Wis. Stats. provides that you have the right to appeal that judgment to the Circuit Court of Brown County. If you decide to appeal, you must file a written notice with both the municipal judge and the other party and pay the required appeal fees and bond within 20 calendar days from the judgment date. The time for filing an appeal cannot be extended by the Municipal Judge. Choose one of the three forms of appeal explained below by completing and filing this notice along with the appropriate fees and bond.

1. TRANSCRIPT REVIEW

In this appeal, a transcript of the testimony will be produced (to be paid for by appealing party). It, and all other evidence that was received during the Municipal Court trial will be reviewed by a Circuit Court Judge. Unless the Circuit Court Judge determines that the Municipal Judge's findings of fact were clearly erroneous, the decision will not be reversed. Note that if the city attorney requests a NEW TRIAL (#2 or #3) within twenty (20) days of your request for a TRANSCRIPT REVIEW, that request will take precedence and there will be no transcript review.

2. NEW TRIAL BEFORE A CIRCUIT COURT JUDGE WITHOUT A JURY

In this form of appeal, a new trial will be held by a Circuit Court Judge. Each side may present witnesses, even if those witnesses did not appear at the Municipal Court trial. The Circuit Court Judge decides whether the defendant is guilty based only on the evidence that is introduced at the new trial.

3. NEW TRIAL IN CIRCUIT COURT BEFORE A SIX PERSON JURY

As in #2, a new trial will be held. Although a Circuit Court Judge will preside over the trial, a jury will decide if the defendant is guilty or not.

NOTE: The Statutes require that you must pay the total amount of the forfeiture plus costs assessed against you when you were found guilty in the Municipal Court. This payment will be held as a bond whereby if the Municipal Court judgment is upheld in whole or in part, the posted bond will apply to any forfeiture and costs awarded on appeal. If you cannot post the required bond, you may request an indigency hearing before this Court within 20 days of the above date. If you cannot pay the required appeal fees, you must request an Affidavit for Indigency Hearing at Brown County Clerk of Courts and submit that form with your appeal paperwork to Municipal Court within 20 days of the trial judgment. **DEFENDANT MUST FILE A COPY OF APPEAL WITH THE CITY PROSECTOR**

**TO: GREEN BAY MUNICIPAL COURT
330 S. JEFFERSON ST.
GREEN BAY, WI 54301**

I, the undersigned defendant, hereby appeal the judgment of the Municipal Court entered on citation #_____.¹ I understand the bond requirements and I am also paying the filing fees appropriate to my request as noted below.

CHECK ONE

1. TRANSCRIPT REVIEW: Include \$129.50 cash or checks; make check payable to the CLERK OF COURTS in the amount of \$129.50; In addition, the cost of the transcript must be paid by appealing party to the City of Green Bay. Transcript deposit of \$500.00 will be required.
2. NEW TRIAL BEFORE A CIRCUIT JUDGE WITHOUT A JURY: Include \$144.50 cash or check; make check payable to the CLERK OF COURTS in the amount of \$144.50;
3. NEW TRIAL IN CIRCUIT COURT BEFORE A SIX PERSON JURY: Include \$180.50 in cash or check; make check payable to the CLERK OF COURTS in the amount of \$180.50.

In all 3 appeal processes described above, you must also pay the forfeiture and costs assessed against you, payable to the CITY OF GREEN BAY (see NOTE for further explanation).

Citation No. _____

Date: _____

Name (printed) _____

Signature: _____

¹ A separate form **must** be used for each case appealed. If multiple citations are appealed from same incident and same trial, only one appeal fee is required. Transfer fees and bonds are required on all citations appealed.