[Attorney or self-represent party name

Address

Phone number]

[Date]

Appeals Clerk

[County] County Superior Court

[Address]

Re: Request for Items Omitted from the Record on Appeal

(Cal. Rules of Court, Rule 8.340(b); First District Court of Appeal Local Rule 4(b))[[1]](#footnote-1)

*[Case Name]*

[County] County Superior Court Case No. [#####]

Court of Appeal or Appellate Division Case No. [#######]

Dear Appeals Clerk:

I [am/represent [Client Name] the Appellant in this appeal. I am writing to request [number] item(s) that appear to have been omitted from the record on appeal as designated in the Appellant’s Notice Designating Record on Appeal, filed on [DATE] :

[*List the items missing from the record and include citations to the record and specific Rules of Court. The following descriptions are provided as examples of items frequently omitted from the record. Use or modify any that apply to your situation; delete all that do not apply. When you have finished, delete this bracketed and italicized instruction.]*

* The [reporter’s/official electronic recording] transcript of the [trial/hearing on motion for [xxx]], which took place on [DATE] in Department [NUMBER/LETTER], the Hon. JUDGE] presiding), [electronically recorted/reported by [NAME OF COURT REPORTER IF THERE WAS ONE] ;
* transcript of a sound or sound-and-video recording to the jury or tendered to the court under rule 2.1040”];)
* The reporter’s transcript of jury trial proceedings on [date]. (See CT [xxx]; see Cal. Rules of Court, rule 8.320(c)(3) [normal record includes “[t]he oral proceedings at trial”]);
* People’s’ Exhibits 1-4, introduced into evidence to prove appellant’s prior convictions. (CT [xx]; see Cal. Rules of Court, rule 8.320(b)(13)(C) [normal record includes “any document admitted in evidence to prove a prior juvenile adjudication, criminal conviction, or prison term”].)

Pursuant to rule 8.155(b) of the California Rules of Court, please send one copy of the missing item(s) to the [Court of Appeal/Appellate Division] with copies to each appellate counsel or unrepresented party, and any other persons or entities required under the rule.

Thank you in advance for your assistance in this matter.

Sincerely,

[Printed Name Of Attorney or Self-Represented Party]

cc: Court of Appeal/Appellate Division Of The Superior Court

Your opponent and any other person or entity required to be served

1. [↑](#footnote-ref-1)