

Parts in blue print are instructions to user, not to be included in filed document unless so noted. [Parts and references in green font, if any, refer to juvenile proceedings. See Practice Note, this web page, for guidance in adapting forms to juvenile cases.]

[Attorney's name, bar number]
[Address and telephone number]
[Email address and fax number if available]
Attorney for Defendant *[name]*

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION *[NUMBER]*

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff and Respondent,

v.

[Defendant's name],
Defendant and Appellant.

Court of Appeal
No. *[number]*

Superior Court
Nos. *[number]*

APPEAL FROM THE SUPERIOR COURT OF *[NAME]* COUNTY

Honorable *[name]*, Judge

**DEFENDANT'S MOTION TO STAY
APPEAL IN CASE NUMBER *[NUMBER]*,
PENDING *[PROCEEDING]***

TO THE HONORABLE *[NAME]*, PRESIDING JUSTICE, AND TO THE HONORABLE ASSOCIATE JUSTICES OF THE COURT OF APPEAL OF THE STATE OF CALIFORNIA, FOURTH APPELLATE DISTRICT, DIVISION *[NUMBER]*:

Defendant *[name]* respectfully requests that the appeal from the judgment rendered in *[name]* County Superior Court, Court of Appeal case number *[number]*, be stayed pending the *[proceeding]*. *[Identify and describe other proceeding, with details such as case number, court, judge, etc.]*

[In summary form: Identify what considerations militate in favor of deciding the other proceeding first.]

[In juvenile cases, explain why the stay is consistent with the high priority given such appeals and why it will not prejudice the child or any other party.]

This motion is made under California Rules of Court, rule 8.54 and is based on the attached memorandum of points and authorities and exhibits.

Dated: *[date]*

Respectfully submitted,

[Attorney's name]

State Bar No. *[number]*

Attorney for Defendant *[name]*

MEMORANDUM OF POINTS AND AUTHORITIES

[Provide adequate procedural and factual background to understand the motion. Describe the issues in both the appeal and the other proceeding.]

[If applicable, explain how resolution of the other proceeding could make resolution of the appeal unnecessary. E.g.: The resolution of the other proceeding may render the issues in this appeal moot in that . . .]

In order to conserve judicial resources and avoid piecemeal or duplicate briefing, counsel requests that the appeal be stayed until the *[other proceeding]* has been resolved.

For the foregoing reasons, defendant requests the appeal be stayed pending the outcome of the *[other proceeding]*.

Dated: *[date]*

Respectfully submitted,

[Attorney's name]

State Bar No. *[number]*

Attorney for Defendant *[name]*

PROOF OF SERVICE