

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.]

Practice tip: The first defendant to file an appellant's opening brief will set the groundwork for thoughtfully assessing whether joinder of claims is proper by a coappellant. The joinder must provide particularized argument to satisfy the burden of demonstrating error and prejudice and must address matters such as any forfeiture and the remedy that is appropriate. The first defendant to file an appellant's opening brief has the opportunity to also join any new claim raised by the coappellant. To facilitate this, all Fourth Appellate District divisions have informed ADI that a joinder letter is acceptable. See section 5.45B of chapter 5 of the [ADI Appellate Practice Manual](#), ADI's October 2014 news alert http://www.adi-sandiego.com/news_alerts/index.asp, *People v. Bryant* (2014) 60 Cal.4th 335, 363-364, and rule 8.200(a)(5) of the California Rules of Court.

[Letterhead]

[Date]

[Mr./Ms.] [clerk's name]

Clerk of the Court/Chief Administrator

Court of Appeal, Fourth Appellate District, Division [One / Two / Three]

[Address]

Re: *People v. [Client's name]* / *In re [client's first name, last initial]*
Superior Court No. [number]
Court of Appeal No. [number]
Notice of Joinder by Appellant [name] in Argument Briefed by
Coappellant [name]

Dear [Mr. / Ms.] [clerk's name]:

Appellant [client's name] submits this notice of joinder under California Rules of Court, rule 8.200(a)(5)¹ and *People v. Bryant* (2014) 60 Cal.4th 335.²

Introduction

¹ California Rules of Court, rule 8.200(a)(5) provides “[i]nstead of filing a brief, or as part of its brief, a party may join in or adopt by reference all or part of a brief in the same or related appeal.”

² Joinder must identify the argument and provide particularized argument. (*People v. Bryant, supra*, 60 Cal.4th at p. 363.)

Appellant *[client's name]* and coappellant *[name]* were tried together and were convicted of *[state convictions and any added findings]*. Appellant *[client's name]* filed *[his/her]* opening brief on *[date]*. Coappellant *[name]* filed *[his/her]* brief on *[date]*. The respondent's brief is due on *[date]*.

Joinder(s)

Appellant *[client's name]* joins the arguments of coappellant *[name]* as specified below.

Argument *[number]* of appellant *[coappellant's name]*'s brief, *[quote argument heading]*.

[With references to the record, demonstrate why there is error and prejudice as to your client. Specify the remedy your client is seeking. If applicable, address such matters as forfeiture.]

[Repeat for any additional issues counsel is joining.]

Respectfully submitted,

[Attorney's name]

State Bar No. *[number]*

Attorney for Appellant *[name]*

PROOF OF SERVICE