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

Attorney for Appellant *[Name]*

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION *[NUMBER]*

In re <i>[CHILD'S INITIALS]</i> ,)
) COURT OF APPEAL
[A] Person[s] Coming Under) No. <i>[Number]</i>
The Juvenile Court Law)
_____) SUPERIOR COURT
) No. <i>[Number]</i>
<i>[SPECIFIC COUNTY & AGENCY</i>)
<i>TITLE]</i> ,)
)
Plaintiff and Respondent,) APPELLANT'S REQUEST
i.) FOR JUDICIAL NOTICE
)
<i>[PARENT'S INITIALS]</i> [Mother/Father],)
)
Defendant and Appellant)
_____)

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]*:

Under rules 8.252 and 8.470 of the California Rules of Court, appellant [mother/father], *[name]*, respectfully requests that this court take

judicial notice of the following record: *[specify]*. (Evid. Code, §§ 452, subd. (d)(1), 453, and 459, subd. (a).)

This request is based upon the present moving papers, the supporting memorandum of points and authorities, [and the opening brief filed in this appeal].

Dated: *[date]*

Respectfully submitted,

[Attorney's name]

State Bar No. *[number]*

Attorney for Appellant *[name]*

**MEMORANDUM OF POINTS AND AUTHORITIES
IN SUPPORT OF JUDICIAL NOTICE**

I. Statement of Facts Supporting Judicial Notice

Set forth relevant facts with citations to the record. Comply with the requirements of rule 8.252(a)(2) by stating:

(A) Why the matter to be noticed is relevant to the appeal;

(B) Whether the matter to be noticed was presented to the trial court and, if so, whether judicial notice was taken by that court;

(C) If judicial notice of the matter was not taken by the trial court, why the matter is subject to judicial notice under Evidence Code section 451, 452, or 453; and

(D) Whether the matter to be noticed relates to proceedings occurring after the order or judgment that is the subject of the appeal.]

II. Discussion

Evidence Code section 459, subdivision (a), specifies that a reviewing court shall take judicial notice of each matter properly noticed by the trial court and each matter that the trial court was required to notice under Evidence Code section 451 or 453. It further provides that a reviewing court may take judicial notice of any matter specified in Evidence Code section 452. Section 452, subdivision (d)(1), permits judicial notice of the records of any court of this state.

Judicial notice should be taken of the requested document. Its inclusion in the record on appeal is necessary to the issue raised on appeal, which concerns *[describe issue]*.

A party submitting supplemental material to the appellate court need only show with some certainty how materials not included in the normal transcript may be useful on appeal or that it may be a proper subject for judicial notice. (*People v. Hill* (1967) 67 Cal.2d 105, 124; *People v. Bautista* (1970) 6 Cal.App.3d 344, 348.) The document is relevant to the argument, in that *[explain relevance]*. The discussion of the document is at pages *[pages]* of the opening brief.

The matter to be noticed [was/was not] presented to the trial court. *[Cite to record, if available.]* That court [took/did not take] judicial notice of it. *[Cite to record, if available.]*

[Explain further as necessary.]

The matter to be noticed [relates /does not relate] to proceedings that occurred after the [judgment /order] that is the subject of this appeal.

[Explain further as necessary.]

III. Conclusion

For the foregoing reasons, appellant requests that [his / her] request for judicial notice be granted.

Dated: *[date]*

Respectfully submitted,

[Attorney's name]

State Bar No. *[number]*

Attorney for Appellant *[name]*

PROOF OF SERVICE