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### ***PRACTICE TIPS***

For structure of the brief, see section 5.2, et seq. of chapter 5 of the [ADI Appellate Practice Manual](#) and rules 8.204 and 8.360 of the California Rules of Court.

A motion to file a supplemental opening brief following remand or transfer from the California Supreme Court is not required. Rule 8.200(b)(1) permits the filing of a supplemental brief in the Court of Appeal within 15 days of the Supreme Court order. But a motion to file a supplemental reply brief after the filing of a respondent's supplemental brief would be required. Supplemental briefs are not permitted after a grant of review has been dismissed.

For tips on professional presentation of briefs, see [Going in Style](#) articles.

File an extension request if additional time is needed.

**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.

*[Appellant's Name]*,  
Defendant and Appellant.

Court of Appeal  
No. *[number]*

Superior Court  
No. *[number]*

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

Honorable *[Name of trial judge]*, Judge

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**APPELLANT'S SUPPLEMENTAL BRIEF UNDER**  
**CALIFORNIA RULES OF COURT, RULE 8.200(B)(1)**

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

Attorney for Defendant and  
Appellant *[Name]*

By Appointment of the Court of  
Appeal under the Appellate  
Defenders, Inc. Program

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***[NAME]* COUNTY**

Honorable *[Name]*, Judge

**APPELLANT'S OPENING BRIEF**

**APPELLANT'S SUPPLEMENTAL BRIEF UNDER  
CALIFORNIA RULES OF COURT, RULE 8.200(B)(1)**

**INTRODUCTION**

*[State the brief is submitted under California Rules of Court, rule 8.200(b)(1), set forth the California Supreme Court's order transferring the case to the Court of Appeal, and identify the issue for the Court of Appeal's consideration.]*

**STATEMENT OF THE CASE**

*[See rule 8.204 (a)(1)(C) & (a)(2)(A) of the California Rules of Court and chapter 5, §5.15 of the ADI Appellate Practice Manual; if necessary, include the pertinent events leading to the order transferring the case to the Court of Appeal.]*

## STATEMENT OF FACTS

*[See rule 8.204(a)(2)(C) of the California Rules of Court and chapter 5, §5.16, et seq. of the ADI Appellate Practice Manual; if necessary, include essential facts].*

## ARGUMENT

*[See rule 8.204(a)(1)(B)&(C) of the California Rules of Court and chapter 5, §§5.24 - 5.46 of the ADI Appellate Practice Manual.]*

### I.

#### [Argument Heading]

*[Rule 8.204(a)(1)(B) of the California Rules of Court states that a brief must “[s]tate each point under a separate heading or subheading summarizing the point. . . .”; see chapter 5, §5.24 of the ADI Appellate Practice Manual.]*

#### A. Introduction.

*[Summarize appellant's contention and remedy.]*

#### B. Argument.

*[See rule 8.204(a)(1)(B)&(C) of the California Rules of Court and chapter 5, and §5.22, et seq., of the ADI Appellate Practice Manual.]*

##### 1. Legal analysis.

*[See chapter 5, §5.33, et seq., of the ADI Appellate Practice Manual.]*

##### 2. Prejudice *[if applicable]*.

*[See chapter 5, §5.39, et seq., of the ADI Appellate Practice Manual.]*

## CONCLUSION

*[See chapter 5, §5.46 of the ADI Appellate Practice Manual.]*

Dated: *[date]*

Respectfully submitted,

*[Attorney's signature]*

*[Attorney's Name]*

State Bar No. *[number]*

Attorney for Defendant and Appellant

*[Name]*

## CERTIFICATION OF WORD COUNT

*[See rule 8.204(c)(1) of the California Rules of Court and chapter 5.]*

I, *[appellate counsel's Name]*, hereby certify in accordance with California Rules of Court, rule 8.360(b)(1), that this brief contains *[number]* words as calculated by the *[name of program]* software in which it was written.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Dated: *[date]*

Respectfully submitted,

*[Attorney's signature]*  
*[Attorney's Name]*  
State Bar No. *[number]*



## **PROOF OF SERVICE**