

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, state bar number, and address):</i>  <hr/> <p style="text-align: center;">TELEPHONE NO.: <span style="margin-left: 150px;">FAX NO. <i>(Optional):</i></span></p> <p>E-MAIL ADDRESS <i>(Optional):</i></p> <p>ATTORNEY FOR <i>(Name):</i></p>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER:  DEFENDANT/RESPONDENT:	
<b>NOTICE DESIGNATING RECORD ON APPEAL (UNLIMITED CIVIL CASE)</b>	Superior Court Case Number:
RE: Appeal filed on <i>(date)</i> :	Court of Appeal Case Number <i>(if known)</i> :

**Notice: Please read *Information on Appeal Procedures for Unlimited Civil Cases (form APP-001)* before completing this form. This form must be filed in the superior court, not in the Court of Appeal.**

TO: Clerk of the Superior Court of California, County of *(name of county)*:

NOTICE IS HEREBY GIVEN that *(name)*:

The  Appellant  Respondent in the above case elects to proceed with the following record on appeal:

***(check only one)***

1.  (Appendix Only; no Reporter's Transcript)
  - a. elects under rule 8.124 of the California Rules of Court to prepare own appendix in lieu of a court-prepared clerk's transcript, **AND**
  - b. elects to have no reporter's transcript. *(Date and sign below. Do not use pages 2 and 3.)*
  
2.  (Appendix and Reporter's Transcript)
  - a. elects under rule 8.124 of the California Rules of Court to prepare own appendix in lieu of a court-prepared clerk's transcript, **AND**
  - b. elects a reporter's transcript as designated on page 3. *(Fill out only Section A on page 3. Do not use page 2.)*
  
3.  (Appendix and Agreed or Settled Statement)
  - a. elects under rule 8.124 of the California Rules of Court to prepare own appendix in lieu of a court-prepared clerk's transcript, **AND**
  - b. elects an agreed or settled statement in lieu of a reporter's transcript. *(Fill out only Section B or C on page 3. Do not use page 2.)*
  
4.  (Clerk's Transcript Only; no Reporter's Transcript)
  - a. elects under rule 8.122 of the California Rules of Court to proceed with a clerk's transcript as designated on page 2. *(Fill out the clerk's transcript section on page 2. Do not use page 3.)* **AND**
  - b. elects to have no reporter's transcript.
  
5.  (Clerk's and Reporter's Transcripts)
  - a. elects under rule 8.122 of the California Rules of Court to proceed with a clerk's transcript as designated on page 2. *(Fill out the clerk's transcript section on page 2),* **AND**
  - b. elects a reporter's transcript as designated on page 3. *(Fill out only Section A on page 3.)*
  
6.  (Clerk's Transcript and Agreed or Settled Statement)
  - a. elects under rule 8.122 of the California Rules of Court to proceed with a clerk's transcript as designated on page 2. *(Fill out the clerk's transcript section on page 2),* **AND**
  - b. elects an agreed or settled statement in lieu of a reporter's transcript. *(Fill out only Section B or C on page 3.)*

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(SIGNATURE OF PARTY OR ATTORNEY)

CASE NAME:	CASE NUMBER:
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**NOTICE DESIGNATING CLERK'S TRANSCRIPT**  
(Cal. Rules of Court, rule 8.122)

**I understand that if I do not pay for this transcript or obtain a waiver of costs (rule 3.50 et seq.), the transcript will not be prepared and, if I am the appellant, my appeal will be dismissed.**

A. It is requested that the following documents in the superior court file be included in the clerk's transcript (*give the specific title of each document and the date of filing*):

(NOTE: Items 1–7 are required to be a part of the clerk's transcript and will automatically be included.)

<u>Document Title</u>	<u>Date of Filing</u>
1. Notice of appeal	
2. Notice designating record on appeal ( <i>this document</i> )	
3. Judgment or order appealed from	
4. Notice of entry of judgment ( <i>if any</i> )	
5. Notice of intention to move for new trial or motion to vacate the judgment, for judgment notwithstanding the verdict, or for reconsideration of an appealed order ( <i>if any</i> )	
6. Ruling on item 5	
7. Register of actions ( <i>if any</i> )	
8.	
9.	
10.	
11.	
12.	
13.	
14.	
15.	

See additional pages.

B. It is requested that the following EXHIBITS admitted into evidence or marked for identification be copied into the clerk's transcript on appeal (*check only one box*):

1.  All Exhibits
2.  Specific Exhibits (*give the exhibit number [for example, Plaintiff's #1, Defendant's B, Respondent's A], a brief description, and admission status.*):

See additional pages.

CASE NAME:	CASE NUMBER:
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**NOTICE DESIGNATING ORAL PROCEEDINGS**A.  **REPORTER'S TRANSCRIPT** (Cal. Rules of Court, rule 8.130) (*check one*):

**I understand that if I do not pay for this transcript, it will not be prepared and, if I am the appellant, my appeal will be dismissed.**

**Please indicate which method you are using.**

1.  Deposited the approximate cost of transcribing the designated proceedings with this notice as provided in rule 8.130(b)(1).
2.  Attached a copy of a Transcript Reimbursement Fund application filed under rule 8.130(c)(1).
3.  Attached the reporter's written waiver of a deposit.
4.  A certified transcript under rule 8.130(b)(3)  
(*to be lodged directly with the Court of Appeal, Second Appellate District*).

**You must identify each proceeding you want included with the following information:**

	<u>Reporter's Name</u>	<u>Dept.</u>	<u>Date</u>	<u>Nature of Proceedings</u>
1.				
2.				
3.				
4.				
5.				

See additional pages.

5. I request that the reporters provide (*check one*):
  - a.  My copy of the reporter's transcript in paper format.
  - b.  My copy of the reporter's transcript in computer-readable format.
  - c.  My copy of the reporter's transcript in paper format and a second copy in computer-readable format.  
(*Code Civ. Proc., § 271; Cal. Rules of Court, rule 8.130(f)(4).*)

B.  **AGREED STATEMENT** (*check and complete either (a) or (b) below.*)

- (a)  I have attached an agreed statement to this notice.
- (b)  All the parties have agreed in writing (stipulated) to try to agree on a statement. (*You must attach a copy of this stipulation.*) I understand that, within 40 days after I file the notice of appeal, I must file either the agreed statement or a notice indicating the parties were unable to agree on a statement and a new notice designating the record on appeal.

C.  **SETTLED STATEMENT UNDER RULE 8.137.** (*You must attach the motion required under rule 8.137(a) to this form.*)**Rule 8.137. Settled statement****(a) Motion to use settled statement**

- (1) . . .
- (2) The motion must be supported by a showing that:
  - (A) A substantial cost saving will result and the statement can be settled without significantly burdening opposing parties or the court;
  - (B) The designated oral proceedings were not reported or cannot be transcribed; or
  - (C) The appellant is unable to pay for a reporter's transcript and funds are not available from the Transcript Reimbursement Fund (see rule 8.130(c)). A party proceeding in forma pauperis is deemed unable to pay for a transcript.
- (3) If the court denies the motion, the appellant must file a new notice designating the record on appeal under rule 8.121 within 10 days after the superior court clerk mails, or a party serves, the order of denial.  
(*Subd (a) amended effective January 1, 2008; previously amended effective January 1, 2007.*)

CASE NAME:	CASE NUMBER:
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NOTICE TO PARTIES: A copy of this document must be mailed or personally delivered to the other party or parties to this appeal. A PARTY TO THE APPEAL MAY NOT PERFORM THE MAILING OR DELIVERY HIMSELF OR HERSELF. A person who is at least 18 years old and is not a party to this appeal must complete the information below and mail (by first-class mail, postage prepaid) or personally deliver the front and back of this document. When the front and back of this document have been completed and a copy mailed or personally delivered, the original may then be filed with the court.

**PROOF OF SERVICE**

**Mail**     **Personal Service**

1. At the time of service I was at least 18 years of age and **not a party to this legal action.**
  
2. My residence or business address is (*specify*):
  
3. I mailed or personally delivered a copy of the **Notice Designating Record on Appeal (Unlimited Civil Case)** as follows: (*complete either a or b*):
  - a.  **Mail.** I am a resident of or employed in the county where the mailing occurred.
    - (1) I enclosed a copy in an envelope **and**
      - (a)  **deposited** the sealed envelope with the United States Postal Service, with the postage fully prepaid.
      - (b)  **placed** the envelope for collection and mailing on the date and at the place shown in items below, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
    - (2) The envelope was addressed and mailed as follows:
      - (a) Name of person served:
      - (b) Address on envelope:
  
      - (c) Date of mailing:
      - (d) Place of mailing (*city and state*):
  - b.  **Personal delivery.** I personally delivered a copy as follows:
    - (1) Name of person served:
    - (2) Address where delivered:
  
    - (3) Date delivered:
    - (4) Time delivered:

See additional pages.

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

Date:

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(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)