

NOTICE OF RIGHT TO APPEAL AFTER TRIAL

Village of Hobart/Town of Lawrence
Plaintiff,

vs.

Citation Number: _____

Violation: § _____

Attorney: _____

Defendant.

On _____, you were found guilty after trial and judgment was entered accordingly. Wisconsin Statute §800.14 provides that you have the right to appeal that judgment to the circuit court of the county where the offense allegedly occurred. If you decide to appeal, you must provide written notice of your decision to do so with the municipal court **and the prosecuting attorney** and pay the statutorily required appeal fees and cost within **20 days** from the above date. Time for filing an appeal cannot be extended by the municipal court judge.

You may satisfy all the statutory requirements for an appeal and choose one of the two forms of appeal below, by completing and filing this notice and the appropriate fees and costs with this municipal court.

#1 – Record Review In this form of appeal, a record of the proceedings will be produced. It, and all other evidence that was presented during the municipal court trial will be sent for review by a circuit court judge. A circuit court judge will review the record and consider any exhibits that were introduced. Unless the circuit judge determines that the municipal judge’s findings of fact were clearly erroneous, the decision will not be reversed. Please note that if the municipal attorney requests a New Trial (#2 or #3) within twenty (20) days of your request for a Record Review, that request will take precedence and there will be no record review.

#2 – New Trial Before Circuit Judge Without a Jury In this form of appeal, a new trial will be held at the county courthouse. Each side may bring as many witnesses as they like, even if those witnesses did not appear at the municipal court trial. The circuit court judge decides whether the defendant is guilty or not guilty based only on the evidence that is introduced at the new trial.

#3 – New Trial in Circuit Court Before a Six-Person Jury As in #2, a new trial will be held. However, although a circuit judge will preside over the trial, a jury will decide if the defendant is guilty or not.

*This option cannot be selected after an OWI trial

TO: HOBART/LAWRENCE MUNICIPAL COURT | 2990 South Pine Tree Road, Hobart, WI 54155

I, the undersigned defendant, hereby appeal from the judgment of the municipal court entered on the date above. I am including herewith the appellate filing fees appropriate to my request as noted below.

____ **1. RECORD REVIEW** (Include a check payable to “Clerk of Circuit Court” for \$129.50 and a check payable to Hobart/Lawrence Municipal Court for \$10.00 for digital recording)

____ **2. NEW TRIAL BEFORE CIRCUIT COURT JUDGE WITHOUT A JURY**
(Include check payable to “Clerk of Circuit Court” in the amount of \$144.50)

____ **3. NEW TRIAL IN CIRCUIT COURT BEFORE A SIX-PERSON JURY**
(Include check payable to “Clerk of Circuit Court” in the amount of \$180.50)

Signature: _____ Dated: _____

cc: Prosecuting Attorney