

**NOTICE OF RIGHT TO APPEAL**

CITY OF GREEN BAY,

Plaintiff,

Citation No(s): \_\_\_\_\_

-v-

\_\_\_\_\_  
Defendant.

Upon a trial held on: \_\_\_\_\_, you were found guilty and a judgment was entered accordingly. The WI Statutes provide that you have the right to appeal that judgment to the Brown County Circuit Court. *If you decide to appeal, you must provide written notice of your decision with the **Green Bay Municipal Court and the City Attorney** and pay the statutorily required appeal fees within twenty **20 days** from the above date (if weekend/holiday, the next business day).* Time for filing an appeal cannot be extended by the Municipal Court Judge.

**THIS DOCUMENT MUST BE FILED WITH THE MUNICIPAL COURT AND YOU MUST PAY THE APPROPRIATE FEES WITHIN TWENTY (20) DAYS OR YOU WILL LOSE YOUR RIGHT TO APPEAL. IF YOU PROPERLY FILE YOUR APPEAL, YOUR APPEAL WILL BE ASSIGNED TO A CIRCUIT COURT JUDGE. IT IS YOUR RESPONSIBILITY TO MAKE SURE WE HAVE YOUR CORRECT ADDRESS SO NOTICES CAN BE PROPERLY SENT OUT.**

You may satisfy all the statutory requirements for an appeal and **CHOOSE ONE** of the three forms of appeal below, by completing and filing this notice and the appropriate fees with the City of Green Bay Municipal Court. (Mark only one applicable choice):

- \_\_\_ 1. **RECORD REVIEW: I want the Circuit Court Judge to review the certified transcript of the DVD recording of the Municipal Court trial.** In this form of appeal, the Circuit Court Judge will review the recorded transcript provided in DVD form and consider any exhibits introduced/admitted as evidence in the trial and then issue a decision. Unless the Circuit Court Judge determines the Municipal Judge’s findings of fact were clearly erroneous, the decision will not be reversed. (Please include a check for \$129.50 made payable to the Brown County Clerk of Courts)
- \_\_\_ 2. **NEW TRIAL BEFORE CIRCUIT COURT JUDGE (BENCH TRIAL – NO JURY):** In this form of appeal, a new trial will be held at the Brown 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 decides whether the defendant is guilty or not guilty based on the evidence introduced at the new trial. (Please include a check for \$144.50 made payable to the Brown County Clerk of Courts)
- \_\_\_ 3. **NEW TRIAL IN CIRCUIT COURT BEFORE A SIX (6) PERSON JURY:** As in #2, a new trial will be held, however, although a Circuit Court Judge will preside over the trial, a jury will decide if the defendant is guilty or not. (Please include a check for \$180.50 made payable to the Brown County Clerk of Courts) **EXCEPTION: OWI CASES:** If a defendant did not elect direct transfer to the Circuit Court for a jury trial 10 days after their not guilty plea, the defendant’s appeal choices are limited to Option 1 and 2 only.

I hereby request an appeal as marked above. I understand that I must pay the costs awarded on appeal should I lose the appeal. I also have paid the above-described required fees.

Defendant: \_\_\_\_\_

Citation No(s): \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone no: \_\_\_\_\_

E-mail: \_\_\_\_\_

Signature: \_\_\_\_\_

Dated: \_\_\_\_\_