**APPELLATE PACKET**

(Updated August 2025)

To submit a case to the appellate division:

1. As soon as possible, send a brief email with the client’s name and case number to appellate.packet@coloradodefenders.us letting us know that an order or judgment needs to be appealed; and
2. Follow up by emailing the completed packet and necessary attachments to appellate.packet@coloradodefenders.us. This packet must be completed and sent to the Appellate Division within 20 days after the judgment or the final order being appealed to ensure a timely filed notice of appeal. Failure to timely submit a packet may result in the appeal being dismissed.

**NOTE: If you have any questions, please feel free to contact Leslie Pesch, Alicia Thomas, Summer Chamberlin, and Emma Fowkes in the Appellate Division at 303-764-1400.**

DEFENDANT NAME:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

CASE NUMBER:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

COUNTY:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DIVISION/COURTROOM: **\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

JUDGE: **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**ATTACHED DOCUMENTS**

The following items should be attached to this appellate packet (please provide all applicable documents, as we can’t always access documents on e-filing):

\_\_\_\_\_\_\_ Motion to Proceed In Forma Pauperis and for Appointment of Public Defender on Appeal

**\_\_\_\_\_\_\_** **Signed** Written Order or Minute Order Reflecting Appointment of Public Defender on Appeal and the Granting of In Forma Pauperis

**\_\_\_\_\_\_\_** **Signed** Mittimus or Conditions of Probation or Sentencing Order

\_\_\_\_\_\_\_ Presentence Report (if one was prepared)

\_\_\_\_\_\_\_ A Complete Set of Minute Orders from Data Access (\*\*Boulder County, please include individual minute order printouts)

\_\_\_\_\_\_\_ Any available transcripts of audio or video exhibits where the exhibits were admitted into evidence but the transcripts were not admitted (e.g., Reduct transcripts; these can be helpful to the appellate attorney)

**If a motion for a new trial was filed, please also attach:**

\_\_\_\_\_\_\_ Motion for New Trial (Date of motion: \_\_\_\_\_\_\_\_\_\_\_\_)

\_\_\_\_\_\_\_ Order Denying Motion for New Trial (Date of order: \_\_\_\_\_\_\_\_\_\_\_\_\_)

**If this is an appeal of a Crim. P. 35(c) or (a) motion, please also attach:**

\_\_\_\_\_\_\_ 35(c) or (a) Motion (Date of motion: \_\_\_\_\_\_\_\_\_\_\_\_)

\_\_\_\_\_\_\_ Order Denying 35(c) or (a) Motion (Date of order: \_\_\_\_\_\_\_\_\_\_\_\_\_)

**If this is an appeal of a revocation, please also attach:**

\_\_\_\_\_\_\_ Revocation Complaint (Date of complaint: \_\_\_\_\_\_\_\_\_\_\_\_\_\_)

\_\_\_\_\_\_\_ Order Granting Revocation (Date of order: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

**If this is an appeal of restitution (in whole or in part), please also attach:**

\_\_\_\_\_\_\_ Request(s) for Restitution (Date(s) of request(s): \_\_\_\_\_\_\_\_\_\_\_\_)

\_\_\_\_\_\_\_ Response(s)/Objection(s) (Date(s) of response(s)/objection(s): \_\_\_\_\_\_\_\_\_)

\_\_\_\_\_\_\_ Order(s) (Date(s) of order(s): \_\_\_\_\_\_\_\_\_\_\_\_)

**If this is a juvenile appeal of proceedings in front of a magistrate, please also attach:**

**\_\_\_\_\_\_\_\_** Petition for Review to District Court (Date of petition: \_\_\_\_\_\_\_\_\_\_\_)

**\_\_\_\_\_\_\_\_** Order Denying Petition for Review (Date of order: \_\_\_\_\_\_\_\_\_\_\_\_\_)

**If an appeal bond was requested, please also attach:**

\_\_\_\_\_\_\_ Motion for Appeal Bond (if filed in writing)

 (Date of oral or written motion: \_\_\_\_\_\_\_\_\_\_\_\_)

\_\_\_\_\_\_\_ Order on Appeal Bond (signed written order or minute order)

 (Date of order: \_\_\_\_\_\_\_\_\_\_\_\_\_)

 If an appeal bond was granted, in what amount? \_\_\_\_\_\_\_\_\_\_\_\_\_\_

\*\*\*\*\*

***Having the information below helps us ensure the client’s appeal is correctly and timely filed. Please fill out the applicable fields as completely as possible, thanks!***

**TYPE OF APPEAL**

\_\_\_\_\_\_\_ Conviction & sentence (trial)

\_\_\_\_\_\_\_ Sentence only (plea)

\_\_\_\_\_\_\_ Denial of Crim. P. 35(c)/(a) motion

\_\_\_\_\_\_\_ Revocation (\_\_\_\_\_Probation, \_\_\_\_Deferred sentence, \_\_\_\_Community corrections, or \_\_\_\_YOS)

\_\_\_\_\_\_\_ Restitution

\_\_\_\_\_\_\_ Juvenile

\_\_\_\_\_\_\_ People’s appeal

\_\_\_\_\_\_\_ Other (Please Specify)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**GENERAL CASE AND DEFENDANT INFORMATION**

Type of attorney for client in district court: \_\_\_\_PD \_\_\_\_PC \_\_\_\_ADC

Name of attorney in district court:

Address, email, and phone number for attorney in district court:

Client’s current address:

Client’s date of birth:

Client’s DOC number (if applicable):

Client’s pronouns:

Is client English speaking? Yes or No

Client’s preferred language:

**CONFLICT INFORMATION**

If client was represented by ADC in district court, what was the nature of the PD’s conflict of interest?

Names of co-defendants (if any):

Was client convicted of habitual criminal counts or other offenses requiring proof of priors (e.g., felony DUI)? If so, was client represented by any current PDs on the priors? Was the validity of the priors attacked, and was ineffective assistance of counsel raised as to any of the priors?

Did the client allege ineffective assistance of counsel or a conflict with trial counsel to the court? If yes, please explain and attach any written pleadings filed as part of this.

**NATURE OF CASE AND DISPOSITION IN TRIAL COURT**

Charges for which client was tried:

Charges for which client was convicted **or** pled guilty:

Date judgment of conviction entered **or** date of plea:

Date sentence imposed:

Sentence:

Costs/fees/surcharges:

* Did you file or are you filing a motion to waive these? If so, was the request written or oral? When was waiver requested?
* Did the court issue an order regarding the court costs—written or oral? If so, when?

Note re: financial orders: If any contested requests for restitution or costs are imposed *after sentencing* and the court issues an order that trial attorney determines should be appealed, *the trial attorney must alert us* at appellate.packet@coloradodefenders.us, or the appellate division will only proceed with appealing the conviction and/or sentence.

**EVALUATION OF APPELLATE ISSUES**

NOTE: List potential issues in order of priority/strength, not in chronological order.

**APPELLATE RECORD INFORMATION**

Dates of motions hearings:

Date of providency hearing (if client pled guilty):

Dates of trial:

Date of sentencing:

Were there any problems with FTR, recording, or virtual hearings that might lead to incomplete transcripts?

Were there any special hearings, reports, or other documents that need to be specifically designated for inclusion in the record on appeal?

**WAIT! To ensure a complete appellate record, have you:**

* Uploaded all tendered jury instructions to e-filing?
* Ensured that all prosecution PPTs, defense PPTs, and other demonstratives are in the court’s possession?
* Ensured that all exhibits (both tendered and refused) are accounted for and uploaded to e-filing when possible?
* Ensured that any discussions with the court over email have been uploaded to e-filing or otherwise memorialized for the record?