

**NOTICE OF RIGHT TO APPEAL
JUDGMENT OF CONVICTION**

JD-CR-19 Rev. 5-16

C.G.S. § 52-529

P.B. §§ 43-30, 44-1, 44-2, 63-1, 63-3, 63-7, 66-1

STATE OF CONNECTICUT

JUDICIAL BRANCH

www.jud.ct.gov



Instructions to Clerk

1. *Prepare in duplicate.*
2. *Give a copy of this notice immediately after imposition of sentence to every defendant who has been convicted after a trial.
(It is not necessary to give this notice to anyone who has pleaded guilty.)*
3. *Staple the signed original to the case file.*

To (Name of defendant)	Date of Judgment of Conviction	Docket number
From (Name and address of court)		

1. You have the right to appeal the judgment of conviction to the Appellate Court or, in some cases, to the Supreme Court. If you want to appeal, your appeal must be filed within 20 days from today, unless, within that 20 day period, you file with the trial court clerk a motion for extension of time to appeal (see portion of section 66-1 of the Connecticut Practice Book on the back of this notice) or an application for a waiver of fees, costs and expenses and appointment of counsel on appeal (see number 4 below). Your appeal must be filed in accordance with section 63-3 of the Connecticut Practice Book.

2. If you give the trial court oral or written notice that you want to appeal before execution of the judgment or payment of the fine, the judge may release you on bail. If only a fine was imposed and you want to appeal, do not pay the fine or you may lose your right to appeal. (See section 54-96a of the Connecticut General Statutes.)

3. You must pay a fee of \$250.00 when you file your appeal unless the trial judge has waived (decided that you do not have to pay) the fee. Security for costs may be ordered by the court on motion and notice to the appealing party.

4. (a) If you want to appeal and either cannot pay the required fee(s) or afford a lawyer, you have a right to ask the court where you were convicted to

- 1) allow you to appeal without paying the required fee(s) and
- 2) appoint a lawyer for you.

Your request must be made to the trial court by filling out a form to apply for waiver of court fees and appointment of a lawyer. The clerk of the trial court will give you the form if you ask for it. It is form number JD-CR-73. It is also available on the Judicial Branch website, www.jud.ct.gov.

The application must be made under oath and it must give the reasons for your appeal, and facts about your financial status. **The application form must be filed within 20 days from today's date (noted above) or you will lose your right to appeal.** (See section 63-7 of the Connecticut Practice Book.)

(b) If you file an application for waiver of court fees and for the appointment of a lawyer, the trial court clerk will notify you of the judge's decision. Your appeal must then be filed within 20 days from the date of the trial judge's decision on your application. If your application is denied, you, or a lawyer acting for you, must file your appeal and pay the fee (see paragraph 3 above) to the trial court within that 20 day period.

		Signed (Clerk of Court)
I have received a copy of this notice	On (Date)	Signed (Defendant)

ADA NOTICE

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact a court clerk or an ADA contact person listed at www.jud.ct.gov/ADA.

Sec. 63-3. Filing of Appeal

All appeals shall be filed and all fees paid in accordance with the provisions of Sections 60-7 or 60-8. The appeal will be docketed upon filing but may be returned by the appellate clerk or rejected by the court upon review for compliance with the rules of appellate procedure.

The appellant must certify that a copy of the appeal form generated at the time of electronic filing and bearing the assigned docket number and electronic signature of the filer will immediately be delivered pursuant to Section 62-7(c) to all counsel of record and, in criminal and habeas corpus matters, to the office of the chief state's attorney appellate bureau. . . .

Sec. 66-1. Extension of Time

- (a) Motions to extend the time limit for filing an appeal shall be filed with the clerk of the trial court. Except as otherwise provided in these rules, the judge who tried the case may, for good cause shown, extend the time limit provided for filing the appeal, except that such extension shall be of no effect if the time within which the appeal must be filed is set by statute and is a time limit that the legislature intended as a limit on the subject matter jurisdiction of the court in which the appeal is filed. In no event shall the trial judge extend the time for filing the appeal to a date which is more than twenty days from the expiration date of the appeal period. Where a motion for extension of the period of time within which to appeal has been filed at least ten days before expiration of the time limit sought to be extended, the party seeking to appeal shall have no less than ten days from issuance of notice of denial of the motion to file the appeal. . . .
- (c) The appellate clerk is authorized to grant or to deny motions for extension of time promptly upon their filing. Motions for extension of time to complete any step necessary to prosecute or to defend the appeal, to move for or to oppose a motion for reconsideration, or to petition for or to oppose a petition for certification will not be granted except for good cause. Claims of good cause shall be raised promptly after the cause arises.
- (d) An opposing party who objects to a motion for extension of time filed pursuant to subsection (b) of this section shall file an objection with reasons in support thereof with the appellate clerk within five days from the filing of the motion.
- (e) A motion for extension of time shall be filed at least ten days before the expiration of the time limit sought to be extended or, if the cause for such extension arises during the ten day period, as soon as reasonably possible after such cause has arisen. No motion under this rule shall be granted unless it is filed before the time limit sought to be extended by such motion has expired.
- (f) Any action by the trial court judge pursuant to subsection (a) of this section or the appellate clerk pursuant to subsection (c) of this section is reviewable pursuant to Section 66-6.