

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION _____

THE PEOPLE OF THE STATE OF
CALIFORNIA,
Plaintiff and Respondent,

vs.

_____,
Defendant and Appellant.

Court of Appeal
No.

Superior Court
No.

APPEAL FROM THE SUPERIOR COURT OF _____ COUNTY

Honorable _____, Judge

**APPELLANT'S REQUEST TO AUGMENT
THE RECORD ON APPEAL AND FOR AN
EXTENSION OF TIME TO FILE
APPELLANT'S OPENING BRIEF**

Attorney Name
State Bar No.
address
phone number

Attorney for Defendant and
Appellant

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

**FOURTH APPELLATE DISTRICT
DIVISION _____**

**APPEAL FROM THE SUPERIOR COURT OF
_____ COUNTY**

Honorable _____, Judge

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I.

REQUEST TO AUGMENT THE RECORD ON APPEAL

Appellant, _____, respectfully requests the record in the above case be augmented to include the following:

1. Reporter's Transcript:

A reporter's transcript of _____ held on _____, before the Honorable _____. The proceedings were reported by _____, CSR number _____. The proceeding began at _____ (a.m./p.m.) and concluded at _____ (a.m./p.m.). [See C.T. p. x [e.g., minute order(s), motion(s)] and/or declaration of _____ attached hereto.]

A potential issue on appeal will be

_____.

The transcripts are necessary to evaluate this issue for appeal.

[2. Clerk's Transcript:

The written motion which was the basis of the above-noted hearing, referenced at page ____ of the transcript.]

This request is made in compliance with appellate counsel's duty to provide a complete and adequate record on appeal and to investigate all reasonably arguable issues suggested by review of the record and by consultations with trial counsel. (See *People v. Gaston* (1978) 20 Cal.3d 476, 482-484 and *People v. Silva* (1978) 20 Cal.3d 489, 493; see also *Griffin v. Illinois* (1956) 351 U.S. 12, 18-19 [76 S.Ct. 585, 100 L.Ed.2d 21].)

Under California Rules of Court, rules 8.155 and 8.340(c), this court has the authority to order the augmentation of the record. Effective assistance of counsel on appeal mandates that appellate counsel insure that there is an adequate record before the reviewing court from which the issues may be resolved on their merits. (*People v. Barton* (1978) 21 Cal.3d 513, 519.)

II.

**REQUEST FOR EXTENSION OF TIME TO FILE
APPELLANT'S OPENING BRIEF**

Appellant's opening brief is currently due on _____.

Appellant requests he be granted an extension of time of thirty days from the filing of the augmented record in which to file his opening brief.

Dated: _____

Respectfully submitted,

Attorney for Appellant and Defendant

ATTACH PROOF OF SERVICE