

SUPREME COURT NO. _____

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

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

**PETITION FOR REVIEW AFTER THE
UNPUBLISHED DECISION OF THE
COURT OF APPEAL, FOURTH
APPELLATE DISTRICT, DIVISION _____
, AFFIRMING THE JUDGMENT OF
CONVICTION.**

Name
State Bar No.
Attorney at Law
Address
Phone Number

Attorney for Appellant
Under the Appellate Defenders, Inc.
Independent (or Assisted) Case System

(Pursuant to Cal. Rules of Court, rule 8.504(b)(6), "the title of the case and designation of the parties on the cover of the petition must be identical to the title and designation in the Court of Appeal opinion or order that is the subject of the petition.")

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TO THE HONORABLE CHIEF JUSTICE
_____ AND TO THE HONORABLE ASSOCIATE
JUSTICES OF THE SUPREME COURT OF THE STATE OF
CALIFORNIA:

Appellant petitions for review following the unpublished decision of
the Court of Appeal, Fourth Appellate District, Division _____, filed on
_____. A copy of the opinion is attached to this petition as

Appendix "A." (See Cal. Rules of Court, rule 8.504 for form and content of

petition and for further guidance on petitions for review generally. See also ADI Manual, Chapter 7, The End Game: Decisions By Reviewing Court And Processes After Decision, §§7:46-7:82, which can be accessed at [\[http://www.adi-sandiego.com/manual.html\]](http://www.adi-sandiego.com/manual.html).)

ISSUE (S) PRESENTED

(Pursuant to Cal. Rules of Court, rule 8.504(b)(1), the petition must set forth a concise and nonargumentative statement of what issue or issues you want the California Supreme Court to consider. See ADI Manual, Chapter 7, The End Game: Decisions By Reviewing Court And Processes After Decision, § 7.65.)

NECESSITY FOR REVIEW

(Pursuant to Cal. Rules of Court, rule 8.504(b)(2), the petition should state, as to each issue outlined above, why the case is within the criteria of Cal. Rules of Court, rule 8.500(b). For example, if there is a conflict between decisions of the Courts of Appeal, the necessity to resolve the conflict should be stressed. If the case presents an important question of law, this issue should be stressed. You can also discuss the effect of the issue on the administration of justice or on broad social issues. See ADI Manual, Chapter 7, The End Game: Decisions By Reviewing Court And Processes After Decision, §§7:46-7:51.)

STATEMENT OF CASE AND FACTS

(While a statement of case and facts is not required in the petition for review, it is conventional to include it because the statements generally would aid the court in understanding the context of the issue. See ADI Manual, Chapter 7, The End Game: Decisions By Reviewing Court And Processes After Decision, §7:64. You can set forth the statement of case and facts from the appellant's opening brief or, if you determine the Court of Appeal's recitation of the statements in the court's opinion is correct, you can adopt it by stating: "Petitioner adopts the statements presented in the Court of Appeal's decision for purpose of this petition." Cite to the opinion pages as: Appendix, pages __ to __. Pursuant to Cal. Rules of Court, rule 8.504(b)(3), "if a petition for rehearing could have been filed in the Court of Appeal, the petition for review must state whether it was filed and, if so, how the court ruled.")

ARGUMENT

I.

(Argument Heading: Set forth your argument heading here, which sets forth your issue. If more than one argument heading, then label as Argument II and so forth. You can adopt and modify the argument heading set forth in your appellant's opening brief.)

(In this part, present the argument not just similar to what was presented in the appellant's opening brief with discussion of the Court of Appeal's decision. The focus of this section is on why the court should grant review in this case not on why the client should win on the merits. See ADI Manual, Chapter 7, The End Game: Decisions By Reviewing Court And Processes After Decision, §§7:63, 7:67.)

CONCLUSION

For the reasons stated, the petition for review should be granted.

Dated:

Respectfully Submitted,

Attorney for Appellant and Defendant

CERTIFICATION OF WORD COUNT

Appellate counsel certifies in accordance with California Rules of Court, rule 8.504(d) that this brief contains _____ words as calculated by the WordPerfect software in which it was written.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at _____, California.

Dated:

Attorney

APPENDIX A

PROOF OF SERVICE