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| Parts in blue print are instructions to user, not to be included in filed document unless so noted. |

*[Attorney’s name, bar number*

*Address and telephone number*

*Email address and fax number if available]*

Attorney for Appellant *[Name]*

**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA**

**FOURTH APPELLATE DISTRICT**

**DIVISION** *[NUMBER]*

|  |  |
| --- | --- |
| In re *[CHILD’S INITIALS]*,  [A] Person[s] Coming Under  The Juvenile Court Law  *[SPECIFIC COUNTY & AGENCY* *TITLE]*,  Plaintiff and Respondent,  v. *[PARENT’S INITIALS]* [Mother/Father],Objector and Appellant | Court of AppealNo*. [Number]*Superior CourtNo. *[Number]* |

**APPLICATION FOR RELIEF FROM DEFAULT FOR FAILURE**

**TO TIMELY FILE [APPELLANT’S OPENING BRIEF /**

**OTHER BRIEF]**

TO THE HONORABLE [*NAME*], PRESIDING JUSTICE, AND HONORABLE ASSOCIATE JUSTICES OF THE FOURTH DISTRICT COURT OF APPEAL, DIVISION [*NUMBER*]:

 Appellant *[name]* requests relief from default for failure to timely file the [appellant’s opening brief / other brief] under rule [8.412(b)/ 8.416(e)].

 [*[For delinquency or* ***non****-fast-track dependency case:]* Good cause is shown because *[specify]*.]

 [*[For fast-track dependency case under rule 8.416:]* An exceptional showing of good cause exists because *[specify].*

 Accompanying this application is the [appellant’s opening brief / other brief]. This request is made under the authority of California Rules of Court, rule 8.50 [applications] and rule 8.60(d) [relief from default]. California Rules of Court, rule 8.50(b) requires [a showing of good cause / an exceptional showing of good cause], and rule 8.60(d) permits the reviewing court to relieve a party from default for any failure to comply with the rules for good cause. The application is based on the attached declaration of counsel*.*

Dated: *[date]*  Respectfully submitted,

 *[Attorney’s name]*

State Bar No. *[number]*

Attorney for Appellant *[name]*

**DECLARATION OF *[APPELLATE COUNSEL’S NAME]***

I, *[appellate counsel’s name]*, hereby declare:

 1. I am an attorney duly licensed to practice before all the courts in the State of California and the appointed attorney of record for appellant *[appellant’s name]* in [his / her]appeal. My state bar number is *[insert number]*.

 2. *[Set forth relevant procedural posture of the case, e.g., number of prior extensions, the reasons for the extensions, etc. This description may take more than one numbered paragraph.]*

 3. I was unable to file the brief on time because *[summarize above showing of good cause for delay / for a dependency fast-track case, summarize above exceptional showing of good cause]*. I therefore am requesting that I be allowed to file[appellant’s opening brief / other brief], which is being submitted concurrently with this application.

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.

Dated: *[date]*  *[Attorney’s signature]*

 *[Attorney’s name]*

State Bar No. *[number]*

Attorney for Appellant *[name]*

**PROOF OF SERVICE**