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2 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
3 **FOR THE COUNTY OF [YOLO]**
4

5 PEOPLE OF THE STATE OF
6 CALIFORNIA,

7 Plaintiff,

8 vs.

9 **JOHN SMITH,**

10 Defendant

Case No.: **00-0000**
Related Appeal No. C0_____

**REQUEST FOR CERTIFICATION OF
RECORD ON APPEAL; STIPULATION
TO SETTLED STATEMENT;
PROPOSED CERTIFICATION AND
ORDER BY THIS COURT**

11
12 **TO THE HONORABLE _____, JUDGE OF THE SUPERIOR
13 COURT:**

14 On _____, this court granted defendant and appellant John Smith's Application
15 for Permission to Prepare a Settled Statement pursuant to rules 8.137 and 8.346,
16 California Rules of Court, and on _____ a hearing on the settled statement was
17 held. At the hearing, this court asked that appellate counsel prepare a settled statement
18 based on the content of the reporter's transcript of the hearing and obtain the stipulation
19 of the parties before submitting the settled statement to the court for certification.
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21 The district attorney, and defense who represented Mr. Smith at trial, have now
22 both signed a Stipulation to Settled Statement, attached hereto and incorporated by
23 reference, providing that the proposed settled statement as prepared is correct. Rule
24 8.137(c)(4), California Rules of Court, provides that the parties' stipulation that the
25 statement as prepared is correct is equivalent to the judge's certification.

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Defendant/appellant, by and through his counsel on appeal, _____, requests this court now certify as part of the record on appeal the attached Stipulation to Settled Statement.

Defendant/appellant also requests that this court order the Appeals Clerk of the Yolo County Superior Court to prepare and distribute the record, including the Stipulation to Settled Statement and this Certification and Order, as an augmented transcript on appeal pursuant to rule 8.340(c), California Rules of Court.

Pursuant to rule 8.346(c), an original and three copies of the Stipulation to Settled Statement are being filed with this court.

Dated: _____

Respectfully submitted,

/s/

Attorney for Defendant and Appellant
John Smith