

**Motion for Calendar Preference/Expedited Review**

[YOUR NAME, SBN

ADDRESS

ADDRESS

TELEPHONE NO.

Attorneys for Appellant [NAME OF APPELLANT]

COURT OF APPEAL OF THE STATE OF CALIFORNIA

[FIFTH/THIRD] APPELLATE DISTRICT

PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff and Respondent,

v.

[NAME OF APPELLANT],

Defendant and Appellant.

)  
) [3/5] Crim. [#]  
)  
) ([NAME]County  
) Superior Court  
) No.[#]  
)  
) MOTION AND DECLARATION  
) IN SUPPORT OF CALENDAR  
) PREFERENCE AND  
) EXPEDITED REVIEW  
)

TO THE HONORABLE PRESIDING JUSTICE AND HONORABLE ASSOCIATE JUSTICES OF THE [THIRD/FIFTH] DISTRICT COURT OF APPEAL:

Appellant, [NAME], moves for an order granting immediate preference on the calendar for this appeal on grounds that [DESCRIBE GROUNDS; i.e. the only issue raised has been conceded by the Attorney General and preference is required to give appellant the full benefit of a legal sentence since he/she has already served more days in prison than will be required.] Describe how the grounds were ascertained [i.e., how

you determined that without preference the appellant will serve more time than a legal sentence would require].

This motion is based on the accompanying memorandum of points and authorities and the declaration of [NAME PERSONS GIVING DECLARATIONS].

**DECLARATION OF [NAME]**

[Describe facts in support of preference]

I declare under penalty of perjury the foregoing is true and correct. This declaration was executed at [WHERE EXECUTED] on [DATE].

**POINTS AND AUTHORITIES**

Calendar preference is provided for in California Rules of Court, rule 8.240. It is appropriate in this case because [CITE LAW IN SUPPORT OF THE MOTION].

Dated: \_\_\_\_\_ at \_\_\_\_\_, California.

Respectfully submitted,

[NAME]  
Attorney for Appellant  
[NAME OF APPELLANT]