

Letterhead

DATE

Hon. [NAME OF PRESIDING JUSTICE], P.J.
Court of Appeal
[NAME] Appellate District
[ADDRESS]
[ADDRESS]

Re: **[CASE NAME], [CASE NUMBER]**
Withdrawal of Argument [##] of [NAME OF BRIEF]

To Justice [NAME OF P.J.] and The Honorable Associate Justices of the Court of Appeal:

I represent [NAME OF APPELLANT] on appeal in the above-entitled case. Briefing has been completed by [STATUS OF BRIEFING] in this appeal. Through counsel, [APPELLANT] wishes to withdraw Argument [##] of [NAME OF BRIEF] regarding [ISSUE]. This withdrawal is not based upon adverse consequences to [APPELLANT], but because appointed counsel does not want to waste judicial resources in having to consider the argument.

After further research on the issue, especially the recently decided case of [LIST THIS OR OTHER CIRCUMSTANCES THAT CHANGED] it is counsel's opinion that Argument [##] is no longer arguable on appeal.

Counsel hopes that the court has not had to expend judicial resources in researching that argument. All other arguments in the [OPENING BRIEF or OTHER BRIEF] are still being advanced on [APPELLANT'S] behalf. By the attached proof of service, I am notifying all the parties of this withdrawal request.

Enclosed are four additional copies for the court, as well as one copy to be filed stamped and returned in the self-addressed stamped envelope.

[YOUR SALUTATION]

[YOUR NAME and SBN]

Proof of Service: all parties + CCAP