

**SUGGESTED CHECK LIST FOR WENDE BRIEFS**

- Reviewed initial correspondence from client
  
- Spoke with trial attorney \_\_\_\_\_ on \_\_\_\_\_  
[See memorandum in file]
  
- Wrote client asking for views – letter dated \_\_\_\_\_
  - See letter in file
  - Response was not / was received on \_\_\_\_\_
  - See explanation regarding client’s views sent to client on \_\_\_\_\_.
  
- Reviewed original record consisting of:
  - CT pages of \_\_\_\_ (including Probation Officer’s Report(s) of \_\_\_\_ pages, but excluding the preliminary hearing of \_\_\_\_ pages.)
  - CT pages of \_\_\_\_ the preliminary hearing pages. The reason the preliminary hearing was read was because  
\_\_\_\_\_  
\_\_\_\_\_  
(e.g. the 1538.5 motion heard during the preliminary hearing was renewed in the Superior Court).
  - RT pages of \_\_\_\_\_
  - The following pages \_\_\_\_\_ were not read because: \_\_\_\_\_  
\_\_\_\_\_
  
- Motion to augment and /or 8.340(b) requests for additional record:
  - Not filed in this case.
  - See memo in file dated: \_\_\_\_\_
  - Motion to augment filed \_\_\_\_\_
    - Reviewed augmented material consisting of \_\_\_\_\_ CT pages & \_\_\_\_\_ RT pages
  - 8.340(b) supplemental record request in the trial court filed \_\_\_\_\_
    - Reviewed 8.340(b) material filed consisting of \_\_\_\_\_ CT pages & \_\_\_\_\_ RT pages & \_\_\_\_\_ Other
  - Motion to settle record filed \_\_\_\_\_
    - Reviewed augmented settled record consisting of \_\_\_\_\_ CT pages & \_\_\_\_\_ RT pages & \_\_\_\_\_ Other
  - Request for sealed document per rule 8.45(d) filed \_\_\_\_\_
    - Reviewed sealed document consisting of \_\_\_\_\_ CT pages & \_\_\_\_\_ RT pages

- Reviewed other material: \_\_\_\_\_
- Superior Court record.  
See memo in file dated \_\_\_\_\_
- Trial attorney records.  
See memo in file dated \_\_\_\_\_
- Other records.  
See memo in file dated \_\_\_\_\_
  
- No arguable issues found
  - \_\_\_ issues were considered but rejected and reasons are attached.
  - \_\_\_ adverse consequences were discovered and possible impacts on appellant are attached.
  
- Discussed with CCAP:
  - Called CCAP re need for *Wende* review on \_\_\_\_\_
  - Sent record to CCAP for review on \_\_\_\_\_
  - Sent CCAP Memo of list of considered issues and possible adverse consequences on \_\_\_\_\_
  - Sent *Wende* draft on \_\_\_\_\_
  - Reviewed CCAP's response following CCAP review
    - by phone
    - by letter/memo
  
- Notified client of *Wende* filing:
  - Letter dated \_\_\_\_\_
  - Telephone call on \_\_\_\_\_. See memo dated \_\_\_\_\_.
  - Visit in person on \_\_\_\_\_. See memo dated \_\_\_\_\_.
  - (Pre-approval for travel expenses for visit obtained on \_\_\_\_\_.)
  - Sent follow-up letter documenting advice to client on \_\_\_\_\_.
  
- Reviewed response from client to possible adverse consequences and proceeding with appeal.
  - Filed abandonment per client's directions on \_\_\_\_\_.
  - Filed *Wende* per client's directions.
  
- Wende* brief filed on \_\_\_\_\_
  
- Client request for records received on \_\_\_\_\_
  - Records sent on \_\_\_\_\_ by means of \_\_\_\_\_
  
- Client's actions following the filing of the supplemental brief:
  - Requested an extension of time to file a supplemental brief
    - Provided client assistance in filing the extension

- Did not provide client with assistance in filing extension
- Filed a supplemental brief
  - Provided client assistance in pro per filing
  - Did not provide client assistance in pro per filing
- Did not file a supplemental brief
  
- Action by court:
  - No request for supplemental briefing and affirmed the conviction
    - Advised client of the outcome on \_\_\_\_\_
    - Advised client of right to proceed with petitions because client filed a supplemental brief
      - Provided client assistance in filing of petition for rehearing in the Fifth District. (Note: No pro per Petition for Rehearing filings accepted in the Fifth District.)
  - Court requested supplemental briefing:
    - Supplemental brief filed on \_\_\_\_\_
    - Review respondent's supplemental brief on \_\_\_\_\_
    - Prepared a supplemental reply brief. (Note: May need to ask the court for permission to file a supplemental reply brief if permission is not expressly stated in the original order/request for supplemental briefing.)
  
- Oral argument presented on \_\_\_\_\_.
  - Per court request
  - Per own request
  - Because respondent requested argument
  
- Opinion received by court affirming conviction:
  - Advised client of outcome and promised to prepare petitions on \_\_\_\_\_
    - Advised client of outcome explaining client's rights to do petitions in pro per on \_\_\_\_\_. (Note: No pro per Petition for Rehearing filings accepted in the Fifth District.)
  
- Opinion received by court in client's favor:
  - Advised client of what to expect
  - Confirmed that trial counsel was aware of the opinion and on-board should services be needed below.
  - Received information from trial court showing proper action has been taken below.
  
- Sent client record on \_\_\_\_\_ by means of \_\_\_\_\_.
  
- Remittitur issued on \_\_\_\_\_.

Notes: