

Dear _____,

I have been appointed by the Court of Appeal to represent you on your appeal in this case.

I have received the transcripts of your case, but I have not yet finished reviewing them, so I do not know what issues we will be raising in your appeal. Soon I will contact your trial attorney to see if he has suggestions about possible issues to raise on appeal. Meanwhile, if you think there are issues I will not glean from reading the transcripts, please let me know. It will take several weeks to review the complete transcripts, to obtain any missing transcripts or other records, to research potential issues, and to prepare and file the opening brief.

An important thing to keep in mind is that appeals take a considerable amount of time to complete, and the major events in the case are often separated by periods of months. The most important step will be the filing of the opening brief, in which I will set forth all the issues to be raised on your behalf, as well as the procedural history and the facts of the case. The Attorney General will then file a respondent brief, and I will file a reply brief if that will help your case. After the briefing process is complete, the court will begin to work on the case, and this phase may take several months as well. Ultimately, your case will be decided by a panel of three Court of Appeal justices, and the decision will be in the form of a written opinion.

As far as means of communication, you and I will communicate in writing. You may call me collect if there is something too urgent to deal with in writing, but calls from jails and prisons are monitored and we therefore cannot discuss confidential matters about the case on the telephone. I will not be visiting you for an in-person interview unless your case presents very unusual circumstances; this is the standard practice in these cases.

I am sending you a consent and authorization form for release of information. It will be helpful in getting confidential information, if I need it, to represent you. Please fill out the form and return it to me. I would also like to remind you that it is especially important that you notify me immediately of any change of address. I am enclosing a special form for that purpose.

You and I have an attorney-client relationship that makes our communications privileged, or confidential, under California law. However, what you say to other people can become a problem, so I urge you not to discuss your case with anyone other than me. In that regard, be sure to write "legal mail" on the outside of envelopes you send me, along with using "lawyer" or "attorney" as a part of my address so that my status will be clear from the envelope.

I will keep you informed of all important developments over the course of the appeal and send you copies of all briefs and other documents I file with the Court of Appeal. A few of my clients prefer not to receive these kinds of materials because there is very little privacy in prison and they feel their case is no one else's business. If you would like for me to send your copies of the briefs and the court's opinion to someone else, please send me the name and address of that person. If you make that choice, I will advise you by letter of the progress of the appeal in general terms.

When the appeal is completed, I will send you the transcripts unless you direct me to send them to someone else as described above. Only one set of transcripts is made for the defense, and of course, I will need them throughout the course of the appeal to be able to handle your case properly. Once the appeal is over, the transcripts will become your property permanently.

If you have questions, feel free to write me, and I will respond as promptly as possible. I look forward to working on your case, and hope that I can help you.

Sincerely,

Enclosures:

change of address form

consent & authorization form

Nyob zoo _____,

Kuv tau raug tso los sawv cev rau koj hauv koj rooj lus nyom xub ntxiv ntawm lub Xam Nyom Xub Ntxiv (Court of Appeal).

Kuv tau txais cov ntawv ntaus kaw tseg ntawm koj rooj lus no, tiamsis kuv tseem muab nyeem tsis tau tas, ces kuv tseem tsis tau paub tias cov ntsiab lus peb yuav muab tsa los hais hauv koj rooj lus nyom xub ntxiv no yuav yog dabtsi. Tsis ntev tom ntej no kuv yuav hu mus ntsib koj tus kws lij choj thaum hais koj rooj lus no los xyuas seb nws puas muaj ib co lus pom zoo los qhia txog tej yam ntsiab lus peb tsa los hais tau thaum peb los nyom xub ntxiv no. Tamsim no mus txog rau thaum ntawd, yog koj xav tias yuav muaj tej yam ntsiab lus uas kuv yuav txais tsis tau thaum kuv nyeem cov ntawv ntaus kaw tseg no, thov qhia rau kuv paub thiab. Nws yuav siv ntau lub vasthiv los saib xyuas cov ntawv ntaus kaw tseg no kom tiav, los nrhiav muab cov ntawv ntaus kaw tseg uas ho tsis muaj lossis lwm cov ntawv ntaus kaw tseg, los tshawb fawb cov ntsiab lus uas tej zaum ho muaj, thiab los npaj thiab tso cov ntawv ua lus qhib hais tso rau hauv rooj lus.

Ib yam tseem ceeb los nco mas yog tias cov lus nyom xub ntxiv no yuav siv sij hawm ntev thiaj li tiav, thiab yuav muaj ntau lub hli los cais ib theem mus rau ib theem ntawm rooj lus no. Theem tseem ceeb tshaj mas yog theem uas tso cov ntawv ua lus qhib hais, qhov no yog qhov uas kuv yuav tso tag nrho cov ntsiab lus uas yuav muab tsa los hais rau koj, ntxiv nrog rooj lus no txoj kabke tau hais tas lo thiab cov ntsiab lus ntawm rooj lus no. Tus Kws Lij Choj rau lub Xeev yuav tso daim ntawv ua lus hais los teb, thiab kuv mam li tso daim ntawv ua lus los teb nws daim yog tias qhov no yuav pab koj rooj lus. Thaum theem tso lus no tiav lawm, lub xam mam li pib los xyuas rooj lus no, thiab theem no yuav siv ntau lub hli mam tiav. Thaum kawg, koj rooj lus no yuav raug peb tug huam nab xam rau lub Xam Nyom Xub Ntxiv los txiav txim siab rau, thiab lawv txoj kev txiav txim siab yuav yog muab sau ua ntawv.

Hais txog txoj kev sib tham, koj thiab kuv yuav sau ntawv kom wb sib tham tau. Koj hu khaus-lev-khaus (collect call) tau rau kuv yog tias muaj tej yam uas nrawm dhau yuav sau ntawv tsis tau, tiamsis txoj kev sib tham xov tooj hauv cov tsev nkuaj (jail) thiab cov tsev nkuaj loj (prison) yuav raug lawv hmloog ces wb yuav tham tsis tau tej yam txog koj rooj lus uas yuav qhia tsis tau rau lwm tus hauv xov tooj. Kuv yuav tsis tuaj xyuas koj kom muaj kev sib tham hauv tsev nkuaj tsuas yog tias ntshe koj rooj lus ho muaj tej yam txawv heev xwb; txoj kev khiav hauj lwm yeej yog li no rau hom lus no.

Kuv yuav xa ib daig ntawv txog kev muab lus pom zoo thiab lus tso cai tuaj rau koj los tso lus tias koj kam lwm tus qhia co lus uas yuav xav tau. Qhov no yuav pab tau txoj kev los muab cov lus uas luag yuav tsis kam qhia rau lwm tus, yog tias xav tau, los muab ua sawv cev rau koj. Thov muab daim ntawv no sau kom tiav thiab muab xa rov tuaj rau kuv. Kuv xav hais qhia rau koj tias yog ib qho tseem ceeb kom koj qhia rau kuv paub sai li sai tau yog koj qhov chaw nyob ho pauv lawm. Kuv muab ib daig ntawv los txog qhov no tso rau sab hauv no.

Koj thiab kuv muaj txoj kev sib raug raws li tus kws lij choj thiab tus tau txais kev pab uas qho no ua rau wb cov lus sib tham raug raws li txoj cai hauv Kaslisfausnias uas wb thiaj li paub tau xwb lossis yuav tsis pub qhia lwm tus. Tiamsis, qhov koj hais rau lwm tus yuav yog ib qho teeb meem, ces kuv yuav txhawb kom koj tsis txhob tham nrog lwm tus dhau ntawm kuv txog koj rooj lus. Hais txog li no, nco ntsoov sau los lus "legal mail" (ntawv txog txoj cai) rau sab nraum lub hnab ntawv uas koj yuav xa tuaj rau kuv, ntxiv nrog los lus "lawyer" lossis "attorney" (kws lij choj) rau ntawm kuv lub npe ntawm qhov chaw nyob kom lawv paub tias kuv yog leej twg ntawm lub hnab ntawv.

Kuv mam li qhia rau koj paub txog txhua yam tseem ceeb uas muaj thaum hais cov lus nyom xub ntxiv no thiab mam li luam xa txhua daim ntawv tuaj rau koj uas ua lus tso rau hauv thiab lwm yam ntawv uas tau muab tso rau lub Xam Nyom Xub Ntxiv. Kuv muaj ib txhia neeg kuv pab uas ho tsis nyiam txais hom ntawv zoo li no vim tias nyob hauv lub tsev nkuaj neeg paub yus cov teeb meem yooj yim thiab ib txhia ho xav tias yus rooj lus yuav tsis yog lwm tus li. Yog koj ho xav kom kuv xa koj cov ntawv luam txog cov lus hais thiab txog xam txoj kev txias txim siab no mus rau lwm tus neeg, thov xa tus ntawd lub npe thiab chaw nyob tuaj rau kuv. Yog koj ho txiav txim siab li no, kuv mam li sau ntawv tuaj qhia koj txog qhov loj hauv koj rooj lus xwb.

Thaum txoj kev nyom xub ntxiv no tiav lawm, kuv mam li xa cov lus ntaus kaw tseg tuaj rau koj tsuas ntshe koj ho tau qhia kom kuv xa mus rau lwm tus raws li hais saum toj sauv xwb. Cov ntawv ntaus kaw tseg no tsuas muaj ib daig rau tog tiv thaiv xwb, thiab kuv yuav xav tau los siv thaum tseem hais koj rooj lus no kom kuv hais tau rooj lus no kom zoo. Thaum txoj kev nyom xub ntxiv no tiav lawm, cov ntawv ntaus kaw tseg no yuav yog koj li lawm.

Yog koj muab lus nug, thov sau ntawv tuaj rau kuv, thiab kuv mam li sau ntawv teb koj sai li sai tau. Kuv vam los khiav hauj lwm rau koj rooj lus no, thiab kuv thov kom kuv ho pab tau koj.

Sau dawb paug,

Ntawv tso rau sab hauv:
daim ntawv los pauv chaw nyob
daim ntawv los muab lus pom zoo thiab lus tso cai