
THORNTON MUNICIPAL COURT
9551 Civic Center Drive
Thornton, CO 80229-4326

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ADVISEMENT OF APPEAL PROCESS

PLEASE READ CAREFULLY

All appeals from Municipal Court are before the Adams County District Court of the 17th Judicial District located in Brighton, Colorado and are based solely on the record made in the Municipal Court. A new trial is not conducted. All appeals are in accordance with the Colorado Rules of Criminal Procedure, Rule 37.

PROCEDURE:

- (A) Any sentence imposed at trial may be deferred if a bond in the amount of fines and costs is posted for the appeal. A bond will be set by the judge who presided at your trial if jail was imposed, provided you inform the judge of your intent to appeal.

A \$165.00 deposit is required for the transcription of the record in your appeal. This amount is separate from the fines and costs. If the cost of the transcript does not exceed the deposit, the remainder, minus a \$15.00 processing fee, will be refunded to you. If the cost does exceed the deposit, you will be billed. The final cost of the transcript is approximately \$4.00 per page. The cost of the transcript is not refundable whether your appeal is granted or denied. The appeal will not be certified to District Court if the balance is not paid.

- (B) A Notice of Appeal and the deposit must be filed with the Municipal Court located at 9551 Civic Center Drive, stating the alleged errors of the proceedings. You must also file a copy of this notice with the City Attorney's Office either by mail or hand delivery at 9551 Civic Center Drive, at the same time it is filed with the Municipal Court.

You must also include with the Notice of Appeal, a Designation of Record on Appeal. This Designation outlines the evidence and specific proceedings that you wish to have transcribed and included in the record to be forwarded to the District Court. This must be done within thirty-five (35) days from the date of sentencing or the denial of post trial motions.

PLEASE INFORM THE CLERK AT DISTRICT COURT THAT THIS APPEAL IS BEING FILED FROM A MUNICIPAL COURT CONVICTION.

- (C) After the transcript has been completed (in approximately 42 days), the Court Specialist of Municipal Court will give written notice to you, the City and District Court. You and the City then have fourteen (14) days to file any written objections to the records. If objections are filed, a hearing will generally be held before the Municipal Court Judge to be ruled on or, if no objections are presented, the record will be certified to the District Court. (Once the initial transcript has been paid for, additional copies will be available at \$1.00 per page.)
- (D) Within twenty-one (21) days after the record has been certified in District Court, you **MUST** file a written Brief in the District Court outlining the alleged errors made in your case. You must also give a copy of this brief to the City Attorney's Office at the same time, either by mail or hand delivery. The city then has twenty-one (21) days from receipt to file an Answer Brief of which you will receive a copy. You then may file a Reply Brief within fourteen (14) days of your receipt of the Answer Brief.
- (E) After review of the record and briefs, the District Court Judge will issue a ruling on your case. This may consist of reversal of the Municipal Court decision, granting a new trial before the Municipal Court, modification of the Municipal Court decision or affirmation of the Municipal Court decision. The District Court will rule only on the record. It will not hold an entirely new trial.

WARNING: THIS IS NOT A COMPLETE ADVISEMENT OF YOUR RIGHTS, OR ALL PROCEDURES YOU MUST FOLLOW TO PROPERLY APPEAL YOUR CASE. QUESTIONS OF A LEGAL NATURE MUST BE DIRECTED TO AN ATTORNEY.