

NOTICE OF RIGHT TO APPEAL AFTER TRIAL

VILLAGE OF ASHWAUBENON,

Plaintiff,

-v-

Citation No(s): _____

Defendant.

On _____, you were found guilty after trial and judgment was entered accordingly. WI State Statute 800.14 provides that you have the right to appeal that judgment to the Brown County Circuit Court. If you decide to appeal, you must provide written notice of your decision with the Ashwaubenon Municipal Court and the village attorney and pay the statutorily required appeal fees and costs within **twenty (20) days** from the above date. Time for filing an appeal cannot be extended by the municipal court judge.

You may satisfy all the statutory requirements for an appeal and **CHOOSE ONE** of the three forms of appeal below, by completing and filing this notice and the appropriate fees and costs with Ashwaubenon Municipal Court. (Mark only one applicable choice):

- _____ 1. **RECORD REVIEW: I want the circuit court judge to review the electronic recording of the municipal court trial.** In this form of appeal, the circuit court judge will review the electronic recorded trial and consider any exhibits that were introduced/ admitted as evidence in the trial and then issue a decision. Unless the circuit court judge determines that the municipal judge's findings of fact were clearly erroneous, the decision will not be reversed. (Include a check made payable to Clerk of Courts of Brown County for \$129.50).
- _____ 2. **NEW TRIAL BEFORE CIRCUIT COURT JUDGE (BENCH TRIAL-NO JURY).** In this form of appeal, a new trial will be held at the Brown County courthouse. Each side may bring as many witnesses as they like, even if those witnesses did not appear at the municipal court trial. The circuit court judge decides whether the defendant is guilty or not guilty based only on the evidence that is introduced at the new trial. (Include a check made payable to Clerk of Courts of Brown County for \$144.50).
- _____ 3. **NEW TRIAL IN CIRCUIT COURT BEFORE A SIX (6) PERSON JURY.** As in #2, a new trial will be held, however, although a circuit court judge will preside over the trial, a jury will decide if the defendant is guilty or not. (Include a check made payable to the Clerk of Courts of Brown County for \$180.50). **EXCEPTION: OWI CASES:** If Defendant did not elect direct transfer to Circuit Court for a jury trial 10 days after their not guilty plea, the defendant's appeal choices are limited to a **Record Review or Bench Trial Only**.

TO: Ashwaubenon Municipal Court 2155 Holmgren Way, Ashwaubenon WI 54304

I, the undersigned defendant, hereby request an appeal as marked above regarding the judgment entered on the date above. I understand that I must pay the costs awarded on appeal should I lose the appeal. I have also paid the above-described required fees.

Dated: _____ Signature: _____

Cc: Atty. Ashley Lehocky-Town Counsel Law & Litigation LLC