

TRAFFIC INFRACTION APPEALS – HELPFUL INFORMATION TO KNOW

When you appeal a traffic infraction case, the following information is important for you to be aware of:

I. WHERE TO FILE THE NOTICE OF APPEAL AND ANY APPEAL-RELATED DOCUMENTS:

Documents regarding your Notice of Appeal must be filed with the Superior Court Appeals Division Clerk's Office. Traffic Court staff cannot accept your appellate documents.

II. TIME / DEADLINE FOR FILING AN INFRACTION APPEAL:

A Notice of Appeal must be filed **within 30 days** after the rendition of the judgment or the making of the order being appealed, per [CRC 8.902](#). A late notice of appeal will not be accepted for filing.

III. FILING LOCATION / ADDRESS:

The Superior Court Appeals Division is located at Window 9, inside the Family Law Clerk's Office at 1100 I Street Modesto, California. There is usually no waiting in line required to access the Appeals window, and a numbered ticket is not required for a place in line. Please proceed directly to window 9.

1. For filings submitted in person:

STANISLAUS COUNTY SUPERIOR COURT
APPEALS DIVISION
1100 "I" STREET, WINDOW 9
MODESTO, CA 95354

2. For filings submitted by mail:

STANISLAUS COUNTY SUPERIOR COURT
ATTN: APPEALS DIVISION
P.O. BOX 1098
MODESTO, CA 95353-1098

IV. THE "RESPONDENT" IN TRAFFIC INFRACTION APPEALS

The Respondent in a traffic infraction appeal is "The People of the State of California." Typically, "The People" would be represented by an attorney from the District Attorney's Office, however, in this county, the District Attorney's Office does not get involved in traffic infraction appeals, nor in traffic court in general. This Court does not require you to serve them when you file your appeal.

V. FORMS:

The following forms included with the Traffic Infraction Appeals Information page are as follows:

1. CR-141-INFO – Information on Appeal Procedures for Infractions

Very Important: Please read this form first, before filling out any of your papers.

It will explain information that you will need to be aware of before you fill out your Notice of Appeal form. Please also note that this information form references "serving" documents on the Respondent, as it is a form used state-wide. In Stanislaus County, service of the Respondent (the District Attorney for "The People") is not required in Traffic Infraction appeals, as the District Attorney has elected to not be involved in these case types.

2. **CR-142 – Notice of Appeal and Record on Appeal (Infraction)**

A Notice of Appeal and Record on Appeal form is form required to file to begin your Appeal.

3. **CR-143- Proposed Statement on Appeal (Infraction)**

This form may not be needed. This form is one of four methods to achieve the record on appeal (see **CR-141-INFO, page 3, number 13**). This form is usually **only** used when there is no recording available from your hearing, and there is no other way to establish what was said in court. **A recording is usually available in almost all traffic cases**, as traffic infraction Court Trials and motions are electronically recorded in Traffic Court.

4. **CR-144-Order Concerning Appellant’s Proposed Statement on Appeal (Infraction)**

This form is only required if you file form CR-143 Proposed Statement on Appeal (Infraction), that is listed in #3 above.

5. **Other Forms that may be needed:**

i. **CR-105 – Defendant’s Financial Statement**

If you are requesting a copy of the electronic recording to be provided to you at the public’s expense (if you are unable to afford the \$15.00 fee), this form is required to be submitted along with your Notice of Appeal. If you are paying the \$15.00 fee, this form is not required.

Please note – even though this form has an option for eligibility for appointment of an attorney, **attorneys are not appointed in traffic infraction appeals**. This form is also used for misdemeanor cases, where attorneys *are* appointed.

ii. **CR-145 – Abandonment of Appeal (Infraction)**

This form is only used if you decide not to go through with your infraction appeal and wish to “abandon” it.

VI. **OTHER INFORMATION / RESOURCES:**

1. **Local Rules of Court, Stanislaus County Superior Court** – This link takes you is to the local rules, fees and other information on the Court’s website.

i. Click on the current link for the local rules of Court.

ii. Refer to Local Rule 6.00 through 6.10 for rules relating to infraction appeals.

2. **California Rules of Court, Title Eight – Appellate Rules** – This link takes you to the California Rules of Court, Title Eight, which covers appellate rules.

i. See Rules 8.900 – 8.936 for rules related to Appeals in Infraction Cases.

ii. See Rules 8.800 – 8.819 for rules related to general Appellate Division proceedings.

3. **Judicial Council of California’s website:** Click on: **www.courts.ca.gov** to search their website for information on infraction appeals and the process.

4. **Questions by phone or in person** - If you have any questions, you may call the Appeals Division at (209) 530-3100, Select Option 8, and then option 1 to reach an appeals clerk. Please note that the clerk is not able to provide you with advice or strategy, however, the clerk can clarify form information and can only provide you with information on the process.