APP-201 Respondent's Brief—Limited Civil Case

Clerk stamps date here when form is filed.
Appellate Division Case Number:
Trial Court Case Number:
Trial Court Judicial Officer:

Appellant
(fill in the name of each party appealing)

v.

Respondent
(fill in the name of each party against whom the appeal is brought)

Instructions

- This form is for use as the respondent's brief in a **limited civil case** appeal only. Do not use this form if this is a criminal case, this is an unlimited civil case, or there is a cross-appeal in this case.
- Before you fill in this form, review *How to Use Form APP-201 in Limited Civil Cases* (form APP-201-INFO). You can get form APP-201-INFO at any courthouse or county law library or online at www.courts.ca.gov/forms.
- You may attach additional pages as needed when answering an item by checking the box that states there is not enough space. These additional pages must meet the formatting requirements of California Rules of Court, rule 8.883(c). Your brief cannot be longer than 25 pages, including this form and any additional pages used to complete your answers.
- Fill out this brief and make a copy for each of the other parties and the trial court. Serve a copy of the completed form on each of the other parties and the trial court, and keep proof of this service. *Proof of Service* (form APP-109) or *Proof of Electronic Service* (form APP-109E) can be used to make this record. You can get information about how to serve court papers and proof of service from *What Is Proof of Service?* (form APP-109-INFO) and on the Self-Help Guide to the California Courts website at www.courts.ca.gov/selfhelp-serving.htm.
- Take or mail the completed form and proof of service on the other parties to the appellate division clerk's office. It is a good idea to take or mail an extra copy to the clerk and ask the clerk to stamp it to show that the original has been filed.

1 Information About the Respondent

a. Respondent (*name*): _____

Your Lawyer *(if you have one for this case):*

Name: _____ State Bar No.: _____

Firm Name: _____

b. Your Address *(If you are a lawyer filling this form out on behalf of your client, give your contact information and not your client's.)*

Address: _____

City: _____ State: ____ Zip: _____

Telephone: _____ Fax: _____

Email Address: _____

2 What Are the Facts of This Case?

You do not need to fill out this item if you agree with what the appellant's opening brief says are the facts. If you do not agree with what the appellant's opening brief says are the facts, please describe the facts presented to the trial court that are relevant to the parties' arguments on appeal. For each fact you mention, cite the page or pages of the record where it shows that the fact was presented to the trial court. Read item 8 on *How to Use Form APP-201 in Limited Civil Cases* (form APP-201-INFO) before filling out this section.

☐ *Check here if there is not enough space for your answer. Continue your answer on an attached sheet of paper, and write "Attachment 2" at the top.*

3 What Are Your Responses to Appellant's Arguments?

In responding to the arguments made in the appellant's opening brief, you should try to explain why the trial court was correct in the decision the appellant is challenging on appeal. Refer to facts presented to the trial court as well as the statutes, cases, court rules, constitutions, or other legal authorities that support your responses. Read item 9 on *How to Use form APP-201 in Limited Civil Cases* (form APP-201-INFO) before filling out this section.

a. **Response 1.**

(1) What is the first argument in the Appellant's Opening Brief to which you are responding? Briefly describe the argument.

☐ *Check here if there is not enough space for your answer. Continue your answer on an attached sheet of paper, and write "Attachment 3a(1)" at the top.*

(2) What is your response to that argument? Include the law and/or facts that support your response.

☐ *Check here if there is not enough space for your answer. Continue your answer on an attached sheet of paper, and write "Attachment 3a(2)" at the top.*

3 b. **Response 2.**

(1) What is the second argument in the appellant's opening brief to which you are responding? Briefly describe the argument.

☐ *Check here if there is not enough space for your answer. Continue your answer on an attached sheet of paper, and write "Attachment 3b(1)" at the top.*

(2) What is your response to that argument? Include the law and/or facts that support your response.

☐ *Check here if there is not enough space for your answer. Continue your answer on an attached sheet of paper, and write "Attachment 3b(2)" at the top.*

c. ☐ Check here to respond to additional arguments. Include these additional responses on an attached sheet of paper, and write "Attachment 3c" at the top. For each response, begin first by briefly describing the argument in the Appellant's Opening Brief to which you are responding, and then give your response.

Appellate Division Case Number:

4 Other Arguments

Are there any other arguments you would like to raise to explain why the superior court was correct in the decision that the appellant is challenging on appeal or why the appellant should not be allowed to appeal?

☐ *Check here if there is not enough space for your answer. Continue your answer on an attached sheet of paper, and write "Attachment 4" at the top.*

5 Your Request of the Appellate Division

What would you like the appellate division to do? *(For example, affirm the trial court's decision or dismiss appellant's appeal)*:

☐ *Check here if there is not enough space for your answer. Continue your answer on an attached sheet of paper, and write "Attachment 5" at the top.*

Date: _____

_____ ▶ _____

Type or print your name *Sign your name*

Do not forget to serve this brief on the other parties and the trial court and to use a proof of service. See the instructions on page 1 of this brief.

For your protection and privacy, please press the Clear This Form button after you have printed the form.

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