

## Step 2: Designate the Transcripts

- 1. Purpose of the Record:** The Court of Appeals is a reviewing court and does not accept new evidence. To review the facts of your case, the District Court must send your entire case file, along with the facts that came out during the hearing or trial, and all admitted exhibits, to the Court of Appeals. These materials create the Record on Appeal.
- 2. Purpose of the Designation:** The facts that were testified to at the hearing or trial are provided in a document called a transcript. A transcript is a typed word for word account of what was said in Court. The Designation lets the District Court know which transcripts, if any, to include in the Record on Appeal.
- 3. Deadline:** Within 7 Days after filing the Notice of Appeal.
- 4. The Form:** [Designation of Transcripts - C.A.R. Form 8 \(Felony Appeal\)](#).

### Case Caption (1<sup>st</sup> Page)

- Enter the address of the District Court.
- Enter in your name as the Defendant-Appellant.
- Enter your contact information.
- Enter your case numbers and courtroom/division number.

### Body of the Form

The clerk will send your entire case file, including exhibits. You need to let the clerk know if you will be ordering and purchasing any transcripts.

- 1) Transcripts:** List each transcript you purchased and want to be a part of the Record on Appeal. For trials or hearings that lasted longer than one day, list each day separately. For each transcript, include:
  - The type of event held in court.
  - The date of the event.
  - The time the event started.

Examples:

1. Trial Day 1 - July 2, 2018 beginning at 9:30 am.
2. Trial Day 2 - July 3, 2018 beginning at 10 am.
3. Sentencing Hearing - August 3, 2018 at 11 am.

- 2) Submit a [Transcript Request Form - JDF 4](#) to the District Court along with your Designation.
- 3) Know that you will have to purchase the transcripts. Transcripts cost about \$150 for every hour of court time.
- 4) **State Paid Transcripts:** Check the box if you will request that the transcripts be paid by the State. You will then need to file a [Motion for State Paid Transcripts - JDF 673](#) with the District Court. Find out more information on this Motion below.
- 5) **Certificate of Service:** You must send a copy of your Designation to the Attorney General.
  - Enter the date you sent the copy.
  - Check how the copy was delivered.
- 6) Sign and Date the Designation of Transcripts.

5. **Filing:** You must file the Designation of Transcripts in your District Court Case **and** file a copy into your Court of Appeals case. You may file by mail or in person.
  - **As an Inmate:** The document needs to be placed in the prison mailing system by the due date.
  - **Not an Inmate:** The Court must receive the document by the deadline.

The address for the Court of Appeals is:

Clerk of the Court of Appeals  
2 East 14th Avenue  
Denver, CO 80203

6. **Transcript Request Form:** You will need to order and pay in advance for any transcripts that you listed in your Designation. Fill out [JDF 4 – Transcript Request Form](#) and

submit that to the District Court. The transcriptionist will contact you to tell you the price and your payment options.

7. **Transcripts at State Expense:** The state will pay for the transcript if you meet the income qualifications and the Court determines they are needed for the appeal. To do this, file a [\*Motion for State Paid Transcripts - JDF 673\*](#) and file that with the District Court.
8. **Be Sure to Read:** [Colorado Appellate Rule \(C.A.R.\) 10](#). You may view this and other court rules at:

<http://www.lexisnexis.com/hottopics/colorado/>

### Appeal Steps:

- Step 1: Notice of Appeal - Start of the appeal.
- Step 2: Designation of Transcripts - Packing list of documents.**
- Step 3: Record on Appeal – Case file, exhibits and transcripts.
- Step 4: Opening Brief - Your written arguments.
- Step 5: Answer Brief - Government’s response.
- Step 6: Reply Brief - Your reply to the government’s response.
- Step 7: Opinion - The Court of Appeals’ decision.

### Next Step

Read the [Step 3 - Record on Appeal](#) instructions.