

REMEMBER: A copy of the letter sent to the superior court must be served on the Court of Appeal (see Cal. Rules of Court, rule 8.155 (b)(1)), and a courtesy copy should be sent to the Attorney General's Office. Your copy to the Court of Appeal could be accompanied by a cover letter requesting a stay of briefing. Also, a copy should be sent to CAP.

[ADDRESS OF THE APPELLATE CLERK
FOR THE APPROPRIATE COUNTY (SEE SEPARATE LIST)]

Re: Rule 8.340(b) request
People v. APPELLANT'S NAME
Superior Court No. _____
2d Crim. No. _____

Dear [CLERK'S NAME]:

I am appointed counsel on appeal for defendant, APPELLANT'S NAME, in the above-entitled case. Pursuant to Rules 8.155 (b)(1) and 8.340(b) of the California Rules of Court, I am writing to point out that the current record on appeal is incomplete, and to request completion.

California Rules of Court rule, rule 8.320 (b), (9), (A), provides that, where the appellant is a criminal defendant, the normal record on appeal must include, "[a]ny written defense motion denied in whole or in part, with supporting and opposing memoranda and attachments." Therefore, I am requesting a **Clerk's Transcript of the written motion to [DESCRIBE MISSING MOTION], along with any supporting or opposing memoranda and attachments, that were filed during the ____ session of DATE in the above numbered case.**

Please file the originals with the Court of Appeal, and send copies to respondent Attorney General and the California Appellate Project, attorney for appellant. I have enclosed a copy of this letter to be conformed and returned to me in the enclosed stamped envelope.

Thank you for your assistance. If you have any questions, please telephone me at (###) ###-####. Thank you for your consideration and assistance.

Very truly yours,

[NAME OF COUNSEL]