

Brodhead Municipal Court  
**NOTICE OF DEFENDANT'S RIGHTS TO APPEAL**

Rev. 05/01/17

Upon a trial held on \_\_\_\_\_, you were found guilty and judgement was entered accordingly.

The Wisconsin Statutes provide that you have the right to appeal that judgement to the Circuit Court of \_\_\_\_\_ County, where the offense allegedly occurred. If you decide to appeal, you must file a written notice of your decision to do so, and pay the statutorily required appellate fees and costs as explained below, within twenty (20) days from the above date.

You may satisfy all the statutory requirements for an appeal and choose one of the three forms of appeal, explained below, by completing and filing this notice with the Brodhead Municipal Court.

**Transcript Review:** If you request this form of appeal, a written transcript of the testimony will be produced. It and all other evidence that was presented during the Brodhead Municipal Court trial will be sent for review to a Circuit Court Judge. A Circuit Court Judge will read the transcript of the testimony and consider any exhibits that were introduced. Unless the Circuit Court Judge determines that the Brodhead Municipal Judge's findings of fact were clearly erroneous, the decision will not be reversed. Please note that if the Brodhead Municipal Attorney request a new trial before a Circuit Court Judge within twenty (20) days of your request for a Transcript Review, this request will take precedence and there will be no Transcript Review.

**New Trial Before Circuit Court Judge Without a Jury:** In this form of appeal, a new trial will be held at the County Courthouse. Each side may bring as many witnesses as they like, even if those witnesses did not appear at the Brodhead Municipal Court trial. The Circuit Court Judge decides whether the defendant is guilty or not guilty based on the evidence that is introduced at the new trial.

**New Trial in Circuit Court Before a Six-Person Jury:** As in the above, New Trial Before Circuit Court Judge Without a Jury, 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.

**NOTE:** Statutes require that you must either remit the total amount of the forfeiture plus costs assessed against you upon being found guilty in the Brodhead Municipal Court or execute a bond whereby you will become bound to pay any forfeiture and costs awarded on appeal if the Brodhead Municipal Court's judgement is upheld in whole or in part. If you cannot post the required bond within twenty (20) days, you may request an indigency hearing before the Brodhead Municipal Court. If you cannot post the required appeals fees, you must request an indigency hearing before the Circuit Court within twenty (20) days of the above date.

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I, the undersigned defendant, hereby appeal the judgement of the Brodhead Municipal Court entered on the above date. I understand that my signature complies with the bond requirement explained above and I am including herewith the appellate filing fees appropriate to my request as noted below.

**Transcript Review**

Include \$139.50 cash or two checks, one payable to "Clerk of Circuit Court" for \$129.50 and one (1) payable to "City of Brodhead" for \$10.00. **NOTE:** If upon appeal you are again found guilty, the Circuit Court may assess the actual costs of producing the transcript.

**New Trial Before Circuit Court Judge Without a Jury**

Include cash or check payable to "Clerk of Circuit Court" in the amount of \$144.50.

**New Trial in Circuit Court Before a Six-Person Jury**

Include cash or check payable to "Clerk of Circuit Court" in the amount of \$180.50.

Dated: \_\_\_\_\_

Defendant's Signature: \_\_\_\_\_