

Form 7. Docketing statement

[Counsel's name & bar number
Counsel's address
Counsel's telephone number]
Counsel for Appellant

IN THE UTAH [SUPREME COURT] [COURT OF APPEALS]

[PLAINTIFF],
Plaintiff/Appellant,

DOCKETING STATEMENT

vs.

Case No. [Appellate case number]
District Ct. No. [Dist. Ct. Number]

[DEFENDANT],
Defendant/Appellee.

PURSUANT TO RULE 9, Utah Rules of Appellate Procedure, appellant submits this docketing statement.

1. **Nature of the proceeding.** This appeal is from a final [judgment] [order] [decree] of the [*identify lower court or agency*].

2. **Jurisdiction.** [This Court has jurisdiction pursuant to [Utah Code Ann. § 78A-3-102.] [Utah Code Ann. § 78A-4-103.]

3. **Relevant dates.**

a. Date the final judgment or order appealed from was entered:

b. Date the notice of appeal or petition for review was filed:

c. (1) Date any motions filed pursuant to Rules 50(b), 52(b), or 59, Utah Rules of Civil Procedure, or Rule 24, Utah Rules of Criminal Procedure or Utah Code Ann. §77-13-6 were filed:

(2) Date and effect of any orders disposing of such motions:

4. **Inmate mailbox rule.** The appellant [is] [is not] an inmate confined in an institution invoking rule 21(f).

5. **Rule 54(b).** This appeal [is] [is not] from an order in a multiple party or a multiple claim case in which the judgment has been certified as a final judgment by the trial court pursuant to Rule 54(b), Utah Rules of Civil Procedure. [If this is such a case, add the following information:]

- a. The following claims and parties remain before the trial court for adjudication:
- b. The facts underlying this appeal [are] [are not] sufficiently similar to the facts underlying the claims remaining before the trial court to constitute res judicata on those claims.

6. Criminal cases. [*If this is a criminal case, state:*]

- a. The defendant was [charged with] [*if the appeal arises from a dismissal*] [convicted of] [*if the appeal arises from a conviction*] the following crime(s): [*list*].
- b. The defendant received the following sentence: [*specify sentence*].
- c. The defendant currently [is] [is not] incarcerated.

7. Issues on appeal. Appellant intends to assert the following issue(s) on appeal:

- a. Issue: [*Succinctly state the first issue.*]

Determinative law: [*Cite any statutes, rules, or cases determinative of the first issue.*]

Standard of review: [*State applicable standard of appellate review for the first issue, with supporting authority.*]

- b. [*Repeat for any additional issues.*]

Determinative law: [*Cite any statutes, rules, or cases determinative of the second issue.*]

Standard of review: [*State applicable standard of appellate review for the second issue, with supporting authority.*]

8. Factual summary. [*Succinctly summarize the facts necessary to understand the issue(s) presented.*]

9. Assignment. This appeal [is] [is not] subject to transfer by the Supreme Court to the Court of Appeals pursuant to Utah Code Ann. § 78A-3-102(4). [*If appropriate, add:*] The appellant [advocates] [opposes] such a transfer on the following grounds:

- [a. *List one or more grounds.*]

10. Related appeals. [There are no related appeals.] [The following are related or prior appeals:

a. *Give name, case number, and citation for each related appeal.*]

11. **Attachments.** The following are attached:

a. The final judgment or order from which the appeal is taken.

b. Any rulings and/or findings of the trial court or administrative tribunal included in the judgment or order from which the appeal is taken.

c. Any application for rehearing filed pursuant to Utah Code Ann. § 54-7-15 (if the appeal arises from an order of the Public Service Commission).

d. The notice of appeal and any order extending the time for the filing of a notice of appeal.

e. Any motions filed pursuant to Rules 50(b), 52(b), 54(b), or 59, Utah Rules of Civil Procedure or Rule 24, Utah Rules of Criminal Procedure or Utah Code Ann. §77-13-6, and any orders disposing of such motions.

f. If the appellant is an inmate confined in an institution invoking rule 4(g), the notarized statement or written declaration required by Rule 4(g), Utah Rules of Appellate Procedure.

DATED:

[Signature of attorney or pro se party]

[Name of attorney or pro se party]

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Docketing Statement was mailed by first class mail
this [date] to the following:

[Opposing counsel's name and address]

[If the appeal arises from a crime charged as a felony or a juvenile court delinquency proceeding, include
the following:]

Utah Attorney General
Appeals Division
160 East 300 South
PO BOX 140854
Salt Lake City, UT 84114-0854

[If the appeal arises from a juvenile court child protection proceeding, include the following:]

Utah Attorney General's Office
Child Protection Division
160 East 300 South
PO BOX 140833
Salt Lake City, UT 84114-0833

[Signature]