

## Appeal to the Circuit Court

In accordance with ORS Chapter 221:

You may appeal to Clackamas County Circuit Court from your conviction and sentence in this Court, however, such an appeal must be in writing and filed within 30 days from the date that you are sentenced.

If you PLEAD GUILTY, however, the only question which the Circuit Court may consider is whether the sentence is excessive, cruel or unusual for the crime to which you plead.

If you have been FOUND GUILTY after the trial, the Circuit Court may review any decision of the Court. You will also be given a new trial (trial de novo) where the Circuit Court will consider all the evidence again. This includes any legal errors which may have occurred during all court proceedings leading to your conviction, as well as any question of whether your sentence is excessive, cruel or unusual of the crime.

If you are charged with a Traffic Infraction or Violation, you will **not** qualify for court appointed counsel.

The following procedure must be followed for you to file your appeal:

- 1) A signed original of your notice of appeal, with proof of service, must be filed with the Clerk of the Gladstone Municipal Court, 18505 Portland Ave, Gladstone, Oregon 97027, WITHIN 30 DAYS of the day you are sentenced. (This can be found on the court website forms page at [www.ci.gladstone.or.us](http://www.ci.gladstone.or.us))
- 2) You must post the current assessed fine into bail at the municipal court. (This must be done when you file the notice of appeal. The bond is refundable if conviction is overturned.)
- 3) You must pay the appeal filing fee of \$281.00, at the time the appeal is filed with this court. (check or money order made payable to the State of Oregon.) **The filing fee is nonrefundable.**

IN THE MUNICIPAL COURT FOR THE STATE OF OREGON  
FOR THE COUNTY OF CLACKAMAS

STATE OF OREGON                    )  
                                  Plaintiff                    )  
                                  vs.                                    )  
\_\_\_\_\_  
                                  Defendant                    )

Case No. \_\_\_\_\_  
NOTICE OF APPEAL

Please take note that the defendant hereby appeals the court's decision in case number \_\_\_\_\_ for violations of ORS \_\_\_\_\_, which was rendered in the Gladstone Municipal Court on \_\_\_\_\_.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name printed

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on the dated referenced below, I served the forgoing  
NOTICE OF APPEAL, a true, exact and full copy thereof to:

Gladstone Municipal Court  
18505 Portland Ave  
Gladstone, OR 97027

Gladstone Municipal Court City Prosecutor  
18505 Portland Ave  
Gladstone, OR 97027

DATED: \_\_\_\_\_

\_\_\_\_\_

Signature

\_\_\_\_\_

Name printed

Address: \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_