

APPELLANT CHECKLIST – COLORADO SPRINGS MUNICIPAL COURT – REFEREE APPEAL

An appeal of a Municipal Court referee decision results in a *trial de novo* before a municipal judge. *Trial de novo* simply means the case is heard again as if it had not been heard before or as if no previous decision had been rendered.

Within 10 days of Referee’s decision:

Date of Referee Decision _____

- Complete and file a NOTICE TO REQUEST APPEAL OF REFEREE DECISION at the Municipal Court in Room 108.

- Schedule a trial date for *trial de novo* and subpoena any witnesses.

Municipal Court City of Colorado Springs El Paso County, State of Colorado Address: 224 East Kiowa Street P. O. Box 2169 Colorado Springs 80901-2169 Phone No. (719) 385-5922 Fax No. (719) 385-6190	σ COURT USE ONLY σ
City of Colorado Springs vs. _____, Defendant	
	Case No.: Summons No.:

NOTICE TO REQUEST APPEAL OF REFEREE DECISION

The Defendant hereby files an appeal in _____ (Colorado Springs Municipal Court case number).

Pursuant to 11.5.104, I am filing this request within 10 days of the Referee's decision which was on _____,

I understand that upon filing of this request, the Referee's decision shall be deemed vacated, and the case shall be set for trial *de novo* before the Municipal Court.

Current information about the Appellant/ Defendant:

Full Name: _____

Mailing Address: _____

City & Zip: _____

Home Phone # _____ Work Phone# _____ Cell # _____

Signature of Defendant / Appellant

Signature of Attorney for Defendant / Appellant, if applicable

Today's Date

11.5.104: APPEAL; MUNICIPAL ORDINANCE VIOLATION DECISION:

Any defendant who is found guilty by the Referee and against whom a penalty has been imposed may appeal that decision to the Municipal Court by filing a written request for the action with the Court Administrator within ten (10) days of the Referee's decision. Upon the filing of the request, the Referee's decision shall be deemed vacated, the defendant deemed to have entered a plea of not guilty and the case shall be set for trial de novo before the Municipal Court in the same manner as cases not heard in the first instance by the Referee. If a request is not made within the allowable ten (10) day period, the order of the Referee shall be final. In no instance shall the Referee testify on appeal regarding any action previously before the Referee. (Ord. 84-128; Ord. 95-180; Ord. 01-42; Ord. 04-70)