

[Attorney's name, bar number,
address and telephone number]

Attorney for Appellant

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA,

FIRST APPELLATE DISTRICT

DIVISION _____

PEOPLE OF THE STATE
OF CALIFORNIA,

Plaintiff and Respondent,

v.

Defendant and Appellant.

A_____

(_____ County Superior Court
No. _____)

**MOTION FOR ORDER CONSOLIDATING
APPEALS**

TO THE PRESIDING JUSTICE OF DIVISION _____ OF THE FIRST
DISTRICT COURT OF APPEAL:

Appellant, by and through counsel, hereby moves this court for an order consolidating his
[number of] appeals currently pending in this court: A_____, [and] A_____ . . .

The grounds for this request are that appellant was sentenced simultaneously in [county
name] County case Nos. _____ (A_____) and _____ (A_____). Timely notices
of appeal were filed in each case, raising [the same/related] issue[s]: _____

. Further, the records in these cases relevant to the issue on appeal are identical, as this issue was
raised during the joint sentencing hearing. Because the issue[s] and the relevant record in each
are the same, it would be more efficient for the court and the parties if these two actions were
consolidated.

This motion is based on this notice, the attached memorandum of points and authorities and on the court's file in this matter.

DATED: _____

Respectfully submitted,

By: _____
[attorney's signature]
Attorney for appellant

MEMORANDUM OF POINTS AND AUTHORITIES

On _____, [appellant was sentenced to . . .]. In appeal no. _____, appellant challenges [concise statement of order challenged and grounds if appropriate]. In appeal no. _____, appellant makes an identical [or related] challenge [specify if appropriate]. [Provide additional bases for interrelatedness of the two proceedings that merit consideration in one appeal.]

“[T]he granting or denying of a motion to consolidate appeals is entirely in the discretion of the reviewing tribunal.” (*Sampson v. Sapoznik* (1953) 117 Cal.App.2d 607, 609.) Consolidation is merited when the issues presented are so related that resolution will be expedited by the consolidation. (See, *Pacific Legal Foundation v. California Coastal Commission* (1982) 33 Cal.3d 158, 165, fn. 3 [noting the Court of Appeal erred in consolidating appeals raising “fundamentally different issues”]; *Sampson v. Sapoznik, supra*, 117 Cal.App.2d at p. 609.)

Dated: _____

Respectfully submitted,

By: _____
[attorney’s signature]
Attorney for appellant