

[Attorney name
Attorney address
Attorney phone number]

[Date]

Hon. [Name]
[County] County Superior Court
[Address]

Re: Request for Correction of [fines, penalty assessment, fees, costs, etc.]
(Pen. Code, § 1237.2)

People v. [Case Name]
[County] County Superior Court No. [#####]
First District Court of Appeal No. [A#####]

Dear Judge [Xxxxx],

I have been appointed by the Court of Appeal to represent [client name], on appeal. In my review of the appellate record, I have identified an error in the [imposition/calculation] of [identify the fines, penalty assessments, surcharges, fees or costs] that should be corrected by this court. Penal Code section 1237.2 requires a motion or informal request to the superior court to correct an error in the imposition or calculation of fines, penalty assessments, surcharges, fees or costs as a prerequisite for appealing an incorrect calculation or imposition of any of the enumerated monetary penalties. (Pen. Code, §1237.2.)

This court has statutory jurisdiction to consider the matter even while the direct appeal is pending. (Pen. Code, §1237.2.) Please accept this informal letter as a request to correct the error.

[Describe facts and law supporting the requested correction. If necessary, include portions of the record to support the request, including the abstract of judgment.]

Based on the foregoing, [appellant] requests that the court issue an amended minute order of the [date] sentencing hearing and an amended abstract of judgment reflecting the corrected [fines, fees, etc]. Copies of the amended minute order and amended abstract of judgment reflecting the correction must be provided to the Court of Appeal, to counsel for the People, and to the

undersigned. (Cal. Rules of Court, rule 8.340(a)(1).) A certified copy of the amended abstract of judgment should also be forwarded to the California Department of Corrections and Rehabilitation. (*People v. Aubrey* (1999) 70 Cal.App.4th 1088, 1108.)

Thank you for your attention to this matter. Please contact me if I may be of any further assistance regarding this request.

Sincerely,

[Attorney name]

Encl.: [Describe any documents submitted in support of the request.]

cc: See attached proof of service [Service to district attorney, trial counsel, Court of Appeal, Attorney General, FDAP, and client.]