IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT, DIVISION [NUMBER]

|  |  |
| --- | --- |
| **PEOPLE OF THE STATE OF CALIFORNIA,**  Plaintiff and Respondent,  **v.**    **[CLIENT NAME],**  Defendant and Appellant. | **A######**  ([County] County  Superior Court  No. #########) |

**Brief Submitted on Behalf of Appellant in Accordance with *P******eople v. Wende* (1979) 25 Cal.3d 436**

Appeal from the Judgment of the Superior Court

of the State of California for [County] County

Honorable [Judge Name], Judge

[ATTORNEY NAME

(Bar No. ######)

Street Address

City, State ZIP

###-###-####

email@address.email]

Attorney for Appellant

**TABLE OF CONTENTS**

[TABLE OF AUTHORITIES](#_Toc49603829)

[STATEMENT OF APPEALABILITY](#_Toc49603830)

[STATEMENT OF THE CASE](#_Toc49603831)

[STATEMENT OF FACTS](#_Toc49603832)

[ARGUMENT](#_Toc49603833)

[I. This Court Should Conduct an Independent Review of the Record in Accordance with *People v. Wende* (1979) 25 Cal.3d 436.](#_Toc49603834)

[CONCLUSION](#_Toc49603835)

[DECLARATION](#_Toc49603836)

[CERTIFICATE OF WORD COUNT](#_Toc49603837)

TABLE OF AUTHORITIES

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT, DIVISION [NUMBER]

|  |  |
| --- | --- |
| **PEOPLE OF THE STATE OF CALIFORNIA,**  Plaintiff and Respondent,  **v.**  **[CLIENT NAME],**  Defendant and Appellant. | **A######**  ([County] County  Superior Court  No. ##########) |

**Brief Submitted on Behalf of Appellant in Accordance with *P******eople v. Wende* (1979) 25 Cal.3d 436**

STATEMENT OF APPEALABILITY

[Explain why appealable.]

STATEMENT OF THE CASE

[Set forth a complete procedural history that adequately informs the court about any potential issues.]

STATEMENT OF FACTS

[Set forth a complete factual history that adequately informs the court about any potential issues.]

ARGUMENT

I. This Court Should Conduct an Independent Review of the Record in Accordance with *P**eople v. Wende* (1979) 25 Cal.3d 436.

When counsel files a brief that sets forth a summary of the proceedings and facts with citations to the transcript but raises no specific issues, the Court of Appeal must conduct a review of the entire record to determine whether the record reveals any issues that would, if resolved favorably to the appellant, result in reversal or modification of the judgment. (*P**eople v. Wende* (1979) 25 Cal.3d 436, 441-442 (*Wende*).) This brief and the attached declaration of appellate counsel are filed in accordance with the procedures outlined in *W**ende*. Additionally, appellant is entitled to review of any issues [s/he] may subsequently raise in a pro per supplemental brief. (*People v. Kelly* (2006) 40 Cal.4th 106, 110.)

CONCLUSION

In accordance with the procedures outlined in *Wende* and the attached declaration of counsel, appellant asks this Court to conduct an independent review of the entire record on appeal.

Dated: [Month Day, Year] Respectfully submitted,

[Attorney signature]

[Attorney name]

Attorney for Appellant

DECLARATION OF COUNSEL

1. I am an active member of the California State Bar, and I am appointed counsel on appeal for appellant.
2. I have thoroughly reviewed the entire record on appeal in this case.
3. Based upon my review of this case, I have determined that a *W**ende* brief is appropriate.
4. I have written to appellant at [his/her/their] last known address and advised [him/her/their] that a *W**ende* brief would be filed in this case.
5. I have advised appellant that [he/she/they] may personally file a supplemental brief within 30 days in this case raising any issues which [he/she/they] wishes to call to the Court’s attention.
6. I remain available for any further briefing this Court may request; however, I have informed appellant that [he/she/they] may request the Court to relieve me as counsel in this case.

I declare under penalty of perjury of the laws of the state of California that the foregoing is true and correct. This declaration was executed at [City], California, on [Month Day, Year].

[Attorney signature]

[Attorney name]

Attorney for Appellant

CERTIFICATE OF WORD COUNT

Counsel for [Client Name] hereby certifies that this brief consists of **#,###** words (excluding cover page information, tables, proof of service, signature blocks, and this certificate), according to the word count of the computer word-processing program. (Cal. Rules of Court, rule 8.360(b)(1).)

Dated: [Month Day, Year] [Attorney signature]

[Attorney name]

Attorney for Appellant