

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 *People 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
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email@address.email]

Attorney for Appellant

TABLE OF CONTENTS

TABLE OF AUTHORITIES
STATEMENT OF APPEALABILITY
STATEMENT OF THE CASE
STATEMENT OF FACTS
ARGUMENT
 This Court Should Conduct an Independent Review of the
 Record in Accordance with *People v. Wende* (1979) 25
 Cal.3d 436.....
CONCLUSION.....
DECLARATION.....
CERTIFICATE OF WORD COUNT.....

TABLE OF AUTHORITIES

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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

This Court Should Conduct an Independent Review of the Record in Accordance with *People 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. (*People 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 *Wende*. 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 *Wende* brief is appropriate.
4. I have written to appellant at [his/her/their] last known address and advised [him/her/their] that a *Wende* 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