

1 **STATE OF OREGON**

**NOTICE AND ADVICE OF
RIGHT TO APPEAL**

2 _____ COUNTY

3 Circuit Court

4 Case No. _____

State of Oregon	vs.	
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6 Pursuant to ORS 137.020(5) the Court is advising you of the right to appeal and the procedure for
7 protecting such right. You may only appeal the judgment of this court to the Oregon Court of Appeals.

- 8 • If you have PLED GUILTY or NO CONTEST, had your probation or suspended sentence
9 revoked, or been resentenced as ordered by an appellate or post-conviction relief court, the
10 only questions the Court of Appeals will consider is whether you have made a colorable claim
11 of an error in the sentencing proceeding; that the sentence exceeds the maximum allowable
12 by law; or the sentence is unconstitutionally cruel and unusual.
- 13 • If you were FOUND GUILTY by trial, the Court of Appeals may review decisions and orders
14 of the court, as to whether any legal errors occurred during proceedings leading to your
15 conviction and whether the sentence exceeds the maximum allowable by law or is
16 unconstitutionally cruel or unusual.
- 17 • If you are unable to afford an attorney, you may request this trial court to appoint an attorney
18 to represent you.
- 19 • If you choose to appeal, you must follow the procedures below:

15 **PROCEDURES FOR PROTECTING YOUR RIGHT TO APPEAL**

- 16 1. Your Notice of Appeal must be in writing and must be filed within 30 days from the date of the
17 entry of judgment in the register.
 - 18 2. You must serve copies of your Notice of Appeal with the District Attorney; Trial Court Clerk; and
19 Trial Court Administrator, Attention: Transcript Coordinator.
 - 20 3. You must file a signed original of your Notice of Appeal and the proofs of service, from individuals
21 listed in No. 2, with the clerk of the Court of Appeal, Records Section, 1163 State Street, Salem,
22 OR 97310. The Notice of Appeal and proofs of service must be filed within 30 days from the date
23 of entry of judgment in the register.
- 24 • Pending appeal, you may be released on bail at the discretion of the sentencing judge.

23 Signature acknowledges receipt of this form:

24 Date Signed: _____

Signature of Defendant

26 Print or Type Name of Defendant

27 Date Signed: _____

Signature of Defense Attorney

28 Print or Type Name of Attorney