

# **Filing a Postconviction Appeal at the Minnesota Court of Appeals**

## **Gudbinta Racfaan kadhanka ah xukun horay udhacay oo loo gudbiyo Maxkamada Racfaanka ee Minnesota**

This packet is provided as a general guide to the process of appealing from a district court order denying a postconviction petition. These instructions explain the steps to start an appeal and answer common questions, but are not a full guide to the law.

Buuggaan waxaa loogu talagalay inuu tilmaan guud kabaxsho hanaanka racfaanka looga qaato amarka maxkamada degmada ee lagu diidaayo racfaanka xukunka kadib. Tilmaamuhu waxay sharxayaan talaabooyinka aad kubilaabayso racfaanka kadhanka ah maamulka iyo sida aad uga jawaabayso su'aalaha guud, laakiin maaha tilmaamo buuxa oo sharciga laga bixinaayo.

Please read this entire packet carefully. If you do not understand any of the steps or do not know if these forms are right for your situation, you should speak with an attorney for legal advice.

Fadlan akhri dhamaan buggaan si taxadar leh. Haddii aadan waxba kafahmin talaabooyinka ama aadan aqoon in foomamkaan ay yihiin kuwo xaaladaada kuhabboon iyo hadii kale, waa inaad kala hadashaa qareen si uu talo sharci kuusiyo.

*This packet only covers postconviction appeals to the Minnesota Court of Appeals. If you were convicted of first-degree murder, your postconviction appeal must be filed with the Minnesota Supreme Court. If you are filing a type of criminal appeal other than from a decision on a postconviction petition, consult the Minnesota Rules of Criminal Procedure and the online materials for criminal appeals.*

*Buugu wuxuu kaliya kahadlayaa racfaanada kadib xukunka oo loodiraayo Maxkamada Racfaanada ee Minnesota. Haddii lagugu eedeeyo inaad tahay qof dil gaysatay, racfaankaaga xukunka kadib waa in laga buuxshaa Maxkamada Sare ee Minnesota. Haddii aad buuxinayso nooc kamid ah racfaanka danbiga ee aan ka ahayn go'aanka kasoo baxa racfaanka xukunka kadib, katalo qaado Xeerarka Hanaanka Dacwada Danbiga ee Minnesota iyo macluumaadka oonleenka ah ee racfaanada danbiga.*

**This packet includes/Buuggaan waxaa kujira:**

- Step-by-Step Instructions for Filing a Postconviction Appeal  
Tilmaamaha Talaabo-talaabada ah ee qaabka aad Ubuuxinayso Racfaan  
Kadhanka ah Xukunka horay udhacay
- Form: Notice of Appeal  
Foomka: Ogaysiiska Racfaanka
- Form: Statement of the Case of Appellant  
Foomka: Bayaanka Kiiska Racfaan qaataha
- Form: Appellant's Certificate of Service by Mail of Notice of Appeal and  
Statement of the Case  
Foomka: Shahaadada Adeegga ee Racfaan Qaataha ee Boostada Lagu  
diro Ogaysiiska Racfaanka iyo Bayaanka Kiiska
- Form: Appellant's Certificate of Service by Mail of Brief  
Foomka: Shahaadada Adeegga Racfaan qaataha ee Boostada lagu diray ee  
Dacwada Kooban

**For Additional Assistance/Wixii Caawimaad dheeri ah:**

Additional helpful materials, including example briefs, can be found on the Minnesota State Law Library website (<https://mn.gov/law-library/>).

Macluumaad dheeri ah oo faaiido muhiim ah, ayna kujiraan tusaalayaasha dacwadaha kooban, waxaa laga helayaa webseetka Maktabada Sharciga ee Gobalka Minnesota oo ah (<https://mn.gov/law-library/>).

Questions can be directed to the State Law Library at (651) 297-7651, or the Office of the Clerk of the Appellate Courts at:

Su'aalaha waxaa loodiri karaa Maktabadaha Sharciga Gobalka ayagoo laga wacaayo (651) 297-7651, ama Xifiiska karaniga Maxkamadaha Racfaanka:

Clerk of the Appellate Courts  
305 Minnesota Judicial Center  
25 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155  
(651) 291-5297

Please note that court employees can give general information about court rules and procedures, but they cannot give legal advice.

Fadlan ogsoonow shaqaalaha maxkamadu waxay awoodaan inay macluumaad guud kaasiyaan xeerarka maxkamada iyo hanaanada laraacaayo, laakiin kuma siin karaan talo sharci.

**Important Information about Postconviction Appeals**  
**Macluumaadka Muhiimka ah ee Kusaabsan Racfaanada**  
**Xukunka Kadib**

**Eligibility for Public Defender/Uqalmida Difaaca Dawlada**

If this is your first appeal on this conviction, and you meet certain financial eligibility requirements, you may be entitled to a public defender for your appeal. Contact the Office of the Minnesota Appellate Public Defender for application forms and instructions:

Haddii kani yahay racfaankaagii koobaad oo xukunkaan kaqaadato, waxaad buuxinaysaa shuruudo gaar ah oo dhanka uqalmida ah, waxaad heli kartaa difaac dawladu kaabixiso oo racfaanka lagaa siiyo. Laxariir Xafiiska Difaaca Dawladu Bixiso ee Racfaanka Minnesota si aad uhesho foomamka codsiga iyo tilmaamo:

Office of the Minnesota Appellate Public Defender  
540 Fairview Avenue North, Suite 300  
St. Paul, MN 55104  
(651) 201-6700

You might *not* be entitled to a public defender if you had a previous appeal involving the same conviction, and you were represented by an attorney from the Office of the Minnesota Appellate Public Defender in that appeal. See [Minn. Stat. § 611.25, subd. 1\(a\)\(2\)](#); [Minn. R. Crim. P. 28.02, subd. 5](#).

Waxaa suurtagal ah *inaan* lagu ogolaan difaaca ay dawladu qarashkiisa dhiibto haddii aad horay racfaan uga gudbisay isla xukunka, uuna kumatalaayay qareen kasocda Xafiiska Difaaca Dawladu Bixiso ee Racfaanka Minnesota oo kumatalaayay racfaankaas. *Kafiiri* [Minn. Stat. § 611.25, subd. 1\(a\)\(2\)](#); [Minn. R. Crim. P. 28.02, subd. 5](#).

**Court of Appeals Opinions are Available to the Public**

**Dookhyada Maxkamada Racfaanada waxaa heli Kara Bulsho waynta**

Once your appeal is decided, the Court of Appeals will issue a written decision, called an “opinion,” which will describe your case and the reasons for the court’s decision. **The opinion will be available to the public on the Minnesota Judicial Branch’s website.** After an opinion is filed, it cannot be removed from the Internet. This means that anyone who searches for your name on the Internet may be able to find and read the opinion.

Marka go’aan laga gaaro racfaankaaga, Maxkamada Racfaanadu waxay soo saaraysaa go’aan qoran, oo loogu yeero “Fikirka,” taasoo sharaxaysa kiiskaaga iyo sababaha loo cuskaday go’aanka maxkamada. **Fikirku wuxuu ufurnaanaa doonaa dadwaynaha ayagoo ka arkaaya webseetka Waaxda Garsoorka ee Minnesota.** Kadib marka labuuxiyo bayaanka fikirka, lagama saari karo interneetka. Tani waxay kadhigan tahay in qofkasta oo magacaaga kabaara interneetka uu awoodi doono inuu helo uuna akhriyo fikirka.

## **Laws that Apply to your Appeal/Sharciyada Qabanaaya Racfaankaaga**

Your appeal is governed by the Minnesota Rules of Criminal Procedure ([particularly Minn. R. Crim. P. 28.02, subds. 2 and 4](#)), the Minnesota Rules of Civil Appellate Procedure, the Special Rules of Practice for the Minnesota Court of Appeals, and the Minnesota Statutes, as well as case law (cases previously decided and published by the Minnesota Supreme Court and Minnesota Court of Appeals).

Racfaankaaga waxaa maammula Xeerarka Minnsota ee Hanaanka Danbiyada ([gaar ahaana Minn. R. Crim. P. 28.02, subds. 2 iyo 4](#)), Xeerarka Madaniga ah ee Hanaanka Racfaanka ee Minnesota, iyo Qawaaniinta Minnesota, iyo sidoo kale sharciga kiiska (kiisaska horay loo go'aanshay ayna usoo saartay Maxkamada Sare ee Minnesota iyo Maxkamada Racfaanada Minnesota).

This packet includes simplified instructions, but you should read the rules and statutes yourself for more information. **If you are representing yourself, you are responsible for researching court rules, case law, and statutes that govern your case.**

Buuggaan waxaa kujira tilmaamo fudud, waa inaad adigu akhrisataa xeerarka iyo qawaaniinta si aad macluumaad dheeri ah u ogaato. **Haddii aad matalayso naftaada, adigga ayaa masuul ka ah baarista xeerarka maxkamada, sharciga kiiska, iyo qawaaniinta qabanaaya kiiskaaga.**

You can find the rules and statutes at the Minnesota State Law Library (Room G25, Minnesota Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155, or call 651-297-7651), and at public libraries. You can also find the rules at the Minnesota Judicial Branch's website: <http://www.mncourts.gov/About-The-Courts/SupremeCourt/CourtRules.aspx>.

Waxaad kahelaysaa xeerarka iyo qawaaniinta Maktabada Sharciga Gobalka Minnesota (Room G25, Minnesota Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155, ama wac 651-297-7651), iyo maktabadaha dadwaynaha. Waxaa sidoo kale kahelaysaa xeerarka Webseetka Waaxda Garsoorka ee Minnesota: <http://www.mncourts.gov/About-The-Courts/SupremeCourt/CourtRules.aspx>.

## **No Filing Fees/Majiro Qarash Lagu Qaadaayo Gudbinta Dacwada**

No filing fees are required to file a postconviction appeal. [Minn. Stat. § 590.06](#).

Majiro qarash lagaaga qaadaayo buuxinta racfaanka xukunka kadib ah. [Minn. Stat. § 590.06](#).

## **Important Information about your Appeal**

### **Macluumaadka Muhiimka ah ee Kusaabsan Racfaanka**

#### **Your Forms Must be Filled Out in English**

#### **Foomamkaaga waa in lagu Buuxshaa Af-Ingiriis**

The forms in the attached packet are worded in both English and the translated language. But your answers on the form must be provided in English. If you are unable to fill out your forms in English yourself, you will need to arrange for someone to assist you to word your answers in English.

Foomamka kujira baakada lifaaqa kujirta waxay kuqoran yihiin labadaba luuqada Ingiriiska iyo luuqada Soomaaliga. Laakiin jawaabahaaga foomka waa in lagu qoraa Af-Ingiriis. Haddii aadan awoodin inaad buuxiso foomamkaaga adoo kujawaabaaya luuqada Ingiriiska oo aad adigu qortay, waa inaad diyaarsataa qof kaacaawiya qorista jawaabahaaga oo Af-Ingiriis ah.

#### **Your Brief Must be Written in English**

#### **Sharaxaada Kooban ee Dacwadaada waa in lagu qoraa Af-Ingiriis**

A major part of your appeal is your *brief*, which is where you will make your legal arguments supporting the outcome you are seeking in your appeal. Your brief will likely require some legal research into the statutes and case law that apply to your appeal. The brief must be written in English. If you are unable to write your brief in English yourself, you will need to arrange for someone to assist you researching and writing your brief in English.

Qayb wayn oo kamid ah racfaankaaga ayaa ah *sharaxaada kooban ee dacwadaada*, taasoo ah meesha aad dooda sharci kuqorayso taasoo taageeraysa natiijada aad doonayso inay kasoo baxdo racfaankaaga. Sharaxaadaada kooban waxay ubadan tahay inay ubaahato baaritaan sharci oo aad kusamayso qawaaniinta iyo kiiska sharciga quseeya racfaankaaga. Sharaxaada kooban ee dacwadaada waa in lagu qoraa Af-Ingiriis. Haddii aadan awoodin inaad buuxiso sharaxaada kooban adoo kujawaabaaya luuqada Ingiriiska oo aad adigu qortay, waa inaad diyaarsataa qof kaacaawiya baarista iyo qorista sharaxaadaada kooban oo Af-Ingiriis ah.

# Step-by-Step Instructions for Filing a Postconviction Appeal

## Tilmaamaha Talaabo-talaabada ah ee qaabka aad Ubuuxinayso Racfaan Kadhanka ah Xukunka horay udhacay

### Step 1: Calculate Your Appeal Deadline Talaabada 1: Xisaabi Waqtiga Kama danbaysta ah ee Racfaankaaga

After the district court files an order denying part or all of your petition for postconviction relief, you have 60 days to appeal to the Court of Appeals. See [Minn. R. Crim. P. 28.02, subd. 2](#); [Minn. R. Crim. P. 28.02, subd. 4\(3\)\(c\)](#).

Kadib markay maxkamada degmadu soosaarto amar ay kudiidayso qayb ama dhamaan racfaankaaga ku aadan in lagaa fududeeyo xukunka, waxaad haysataa 60 maalmood inaad racfaan ugu gudbiso Maxkamada Racfaanada. *Kafiiri* [Minn. R. Crim. P. 28.02, subd. 2](#); [Minn. R. Crim. P. 28.02, subd. 4\(3\)\(c\)](#).

Note: Other types of criminal appeals, such as direct appeals of felony or misdemeanor convictions, have very different filing deadlines. Read [Minn. R. Crim. P. 28.02, subd. 4\(3\)](#) to confirm the deadline that applies to your appeal.

Ogoow: Noocyada kale ee racfaanada danbiga, sida racfaanada degmada ee dadka wax dila ama xukunada danbiyada caruurto gasho, waxay leeyihiin xili aad gaar ugu ah oo kiiskooda lagu qaado. Akhri [Minn. R. Crim. P. 28.02, subd. 4\(3\)](#) si aad uxaqijiso waqtiga kama danbaysta u ah racfaankaaga.

Your appeal time begins to run on the date that the district court administrator files the order; not when you receive a copy of the order. See [Minn. R. Crim. P. 33.03](#). The Court of Appeals can extend the appeal deadline for up to 30 additional days, but you must file a motion for an extension, and your motion must show “good cause” to get an extension. See [Minn. R. Crim. P. 28.02, subd. 4\(3\)\(g\)](#). For instructions about motions, see page 27.

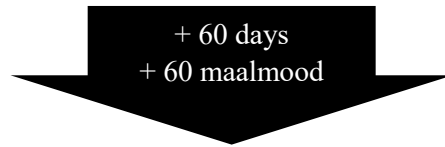
Waqtiga racfaankaagu wuxuu bilaabayaa inuu socdo taariikhda uu maamulaha maxkamada degmadu uu soosaaro amarka; mana bilaabmaayo marka aad hesho koobiga amarka. *Kafiiri* [Minn. R. Crim. P. 33.03](#). Maxkamada Racfaanada ayaa kordhin karta muddada ay ku egtahay racfaan qaadashadu kuna dari karta ilaa 30 maalmood oo dheeri ah, laakiin waa inaad gudbisaa codsiga dheeraynta muddada, codsigaaguna waa inuu muujiyaa “sabab wanaagsan” oo aad kuheli karto mudo kordhin. *Kafiiri* [Minn. R. Crim. P. 28.02, subd. 4\(3\)\(g\)](#). Wixii kusaabsan tilmaamaha codsiga, kafiiri bogga 27.

## General Instructions for Calculating Court of Appeals Deadlines

### Tilmaamaha guud ee xisaabinta Waqtiyada ay ku egyihiin Racfaanada Maxkamadu

- Do not count the day of the event that starts the time period (for example, the date the district court administrator files the order). Instead, start counting the next day. [Minn. R. Crim. P. 34.01](#).  
Ha xisaabin maalinta dacwadu dhacayso taasoo kabilaabanta waqtiga (tusaale ahaan, taariikhda maamulaha maxkamada degmadu gudbiyo amarka maxkamada). Taas badalkeed, kabiloow tirinta maalinta xigta. [Minn. R. Crim. P. 34.01](#).
- Continue counting calendar days. Do not skip weekends or legal holidays. Siiwad tirinta maalmaha kalaandarka. Haka boodin maalmaha dhamaadka asbuuca ama fasaxyada sharciga ah.
- If the last day of the period falls on a Saturday, Sunday, or legal holiday, then the deadline is the next business day. For the purpose of calculating deadlines, legal holidays for the appellate courts are:
- Haddii maalinta ugu danbaysa ee muddadu noqoto maalin Sabti ah, Axad ah, ama maalin sharciyan fasax ah, markaas maalinta kama danbaysta ah waxay noqonaysaa maalinta xigta ee shaqada. Sababo laxariira tirinta maalmaha kama danbaysta ah ee dacwada, maalmaha fasaxa u ah maxkamadaha racfaanka ayaa ah:
  - New Year’s Day (January 1);  
Maalinta Sanadka Cusub (Janaayo 1);
  - Martin Luther King, Jr.’s birthday (the third Monday in January);  
Maalinta Dhalashada Martin Luther King, Jr. (Isniinta sadexaad ee bisha Janaayo);
  - Presidents’ Day (the third Monday in February);  
Maalinta Madaxwaynaha (Isniinta saddexaad ee Feebaraayo);
  - Memorial Day (the last Monday in May);  
Maalinta Xuska (Isniinta ugu danbaysa bisha Maajo);
  - Independence Day (July 4);  
Maalinta Xornimada (Luuliyo 4);
  - Labor Day (the first Monday in September);  
Maalinta Shaqaalaha (Isniinta ugu horaysa bisha Sibteembar);
  - Columbus Day (the second Monday in October), even though the appellate courts are open on Columbus Day;  
Maalinta Columbus (Isniinta labaad ee Oktoobar), inkastoo Maxkamadaha Racfaanku furan yihiin Maalinta Columbus;
  - Veterans’ Day (November 11);  
Maalinta Halyeeyga (Nofeembar 11);
  - Thanksgiving Day (the fourth Thursday in November);  
Maalinta Mahad Naqa (Khamiista Afaraad ee Nofeembar);
  - The Friday after Thanksgiving; and  
Jamcada Kadanbaysa Maalinta Mahad Naqa; iyo
  - Christmas Day (December 25).  
Maalinta Kiristaanka (Diseembar 25).

- The date the district court administrator filed the order was \_\_\_\_\_.  
Maalinta maamulaha maxkamada degmadu gudbiyo amarka ayaa ahayd



- The deadline for my appeal is \_\_\_\_\_.  
Taariikhda Kama danbaysta ah ee Racfaankayga ayaa ah

**Note:** Before the deadline for your appeal (on the line above), the *Notice of Appeal* must be **filed** with the Clerk of the Appellate Courts and **served** on all respondents (steps 2-5 provide instructions for filing and serving documents).

**Ogoow:** Kahor intaan taariikhda kama danbaysta ah ee racfaankaaga (ee kuqoran laynka kore), *Ogaysiiska Racfaanka* waa in **lagudbiyaa** loona dhiibaa Karaaniga Maxkamadaha Racfaanka lana siiyaa **dhamaan** dhinacyada dacwada iskadifaacaaya (talaabooyinka 2-5 ayaa kusiinaaya tilmaamaha buuxinta iyo qaybinta dukumiintiyada).

**If you do not file and serve the *Notice of Appeal* by the deadline, your appeal will be dismissed.**

**Haddii aadan gudbin aadana qaybin *Ogaysiiska Racfaanka* muada loo asteevay, racfaankaaga waa latuurayaa.**

**Step 2: Fill out the *Notice of Appeal* and *Statement of the Case***  
**Talaabada 2: Buuxi *Ogaysiiska Racfaanka* iyo *Bayaanka Kiiska***

- Fill out the *Notice of Appeal*, which tells the court that you want to appeal. A *Notice of Appeal* form is attached to this packet.  
Buuxi *Ogaysiiska Racfaanka*, kaasoo usheegaaya maxkamada inaad racfaan qaadanayso. Foomka *Ogaysiiska Racfaanka* ayaa kulifaaqan baakadaan.
- Fill out the *Statement of the Case*, which should *briefly summarize* the reasons you think the district court's decision was incorrect. You do not need to make detailed arguments in the *Statement of the Case*, because you will make detailed arguments later in your *Brief*. A *Statement of the Case* form is attached to this packet. You may attach a copy of the district court's order denying your petition for postconviction relief, but do not attach any other documents to your *Statement of the Case*.  
Buuxi *Bayaanka Kiiska*, kaasoo ay tahay inuu si kooban usharaxo sababaha aad u aaminsan tahay in go'aanka maxkamada degmadu uu ahaa mid qaldan. Uma baahnid inaad gudbiso dood faahfaahsan markaad qorayso *Bayaanka Kiiska*, waayo waxaad doodaada oo faahfaahsan kuqoraysaa hadhoow foomka dacwada *Kooban*. Foomka *Bayaanka Kiiska* wuxuu kulifaaqan yahay baakadaan. Waxaad lifaaqa soo raacin kartaa amarka maxkamada degmadu ay kudiiday dacwadaada fududaynta xukunka horay udhacay, laakiin hasoo raacin dukumiintiyada kale lifaaqa *Bayaanka Kiiskaaga*.



Some questions on the *Statement of the Case* may require you to complete some basic legal research about your appeal before you can complete them. Detailed instructions for completing this form are available at <http://www.mncourts.gov/courtOfAppeals.aspx#Tab08Resources>.

Su'aalaha qaar oo kujira **Bayaanka Kiiska** waxay kaaga baahan karaan inaad buuxiso qaarna inaad kabaadho sharciga ku saabsan racfaankaaga ka hor inta aadan buuxin. Tilmamaha buuxinta foomkaan oo faahfaahsan waxaa laga heli karaa <http://www.mncourts.gov/courtOfAppeals.aspx#Tab08Resources>.

The party who files the appeal is called the “appellant.” In a postconviction appeal, the other party is the State of Minnesota and is called the “respondent.” The State of Minnesota is represented by the county attorney and the Minnesota Attorney General. The title of a postconviction appeal is: “(Your name), petitioner, Appellant, vs. State of Minnesota, Respondent.”

Dhinaca gudbinaaya racfaanka waa loogu yeeraa “racfaan qaate.” Racfaanka xukunka kadib, dhinacyada kale ee kusugan gobalka Minnesota waxaa loogu yeeraa “eedaysane.” Gobalka Minnesota waxaa wakiil ah qareenka degmada iyo qareenka Guud ee Minnesota. Ciwaanka Racfaanka xukunka kadib: “(Magacaaga), dacwoode, Racfaan qaate, kadacwoonaaya. Gobalka Minnesota, Eedaysane.”

The *Statement of the Case* asks whether you are requesting oral argument, but oral argument will not be allowed if any party does not have an attorney. The *Statement of the Case* asks you to indicate which format you will use when you file your *brief*: formal, informal, or previously submitted memorandum of law with a short letter argument. Refer to Step 9 on page 24 for information about the different format options for your *brief*.

Bayaanka **Kiisku** wuxuu kuwaydiinayaa inaad codsanayso dood afka ah, laakiin dood afka ah lama ogola hadaan labada dhinac wax kamid ah haysan qareen. Foomka **Bayaanka Kiisku** wuxuu kuwaydiinayaa inaad sheegto qaabka aad u adeegsan doonto buuxinta foomkaaga **dacwada kooban**: qaab rasmi ah, aan rasmi ahayn, ama heshiiskii isfahanka ah ee horay loogudbiyay oo ay lasocoto waraaq sharaxaad gaaban kabixinaysa doodaada. Kafiiri talaabada 9 ee kuqoran bogga 24 si aad uhesho macluumaad kusaabsan dookhyada qaababka kaladuwan ee aad udiyaarin karto **Koobista Dacwadaada**.

Fill in all of the blanks on the forms. If you do not fill out all of the blanks, the Clerk of the Appellate Courts may have to return the forms to you, and it may cause you to miss your deadline to appeal.

Buuxi dhamaan meelaha banaan ee foomamka. Haddii aadan buuxin dhamaan meelaha banaan, Karaaniga Maxkamadaha Racfaanka ayaa kuguso celin kara foomaka, waxayna qasbaysaa inaad haleeli waydo waqtigii udagsanaa in racfaankaaga laqaado.

**Step 3: File the *Notice of Appeal* and *Statement of the Case***  
**Talaabada 3: Gudbi *Ogaysiiska Racfaanka* iyo *Bayaanka Kiiska***

“Filing” means submitting or delivering documents to the Office of the Clerk of the Appellate Courts. Filing the *Notice of Appeal* is how you tell the Court of Appeals that you are starting an appeal.

“Buuxintu” waxay kadhigan tahay gudbinta ama gaynta dukumiintiyada aad ugayso Xafiiska Karaaniga Maxkamadaha Racfaanka. Buuxinta *Ogaysiiska Racfaanku* waa qaabka aad ugu sheegto Maxkamadaha Racfaanka inaad bilaabayso racfaan qaadasho.

- Choose your method of filing (see instructions below):  
Dooro qaabka aad ubuuxinayso (kafiiri tilmaamaha hoose):

**General Instructions for “Filing”/Tilmaamaha guud ee “buuxinta” racfaanka**

Parties **without an attorney** may file documents by **mailing** the documents to the Clerk of the Appellate Courts, addressed to:

Dhinacyada **aan lahayn qareenka** waxay kusoo gudbin karaan dukumiintiyada **ayagoo boostada** ugu dira dukumiintiyada Karaaniga Maxkamadaha Racfaanka, kuna diraaya ciwaanka:

Clerk of the Appellate Courts  
305 Minnesota Judicial Center  
25 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155

For filing by postal mail, a document will be considered filed “on time” if it is deposited in the U.S. Mail by the deadline with correct postage and the correct address, even though the Clerk of the Appellate Courts will not receive the document on the day you deposit it in the mail.

Si aad ugu dirto boostada, dukumiintiga ayaa loo aqoonsanayaa mid lagusoo gudbiyay “waqtiga saxda ah” haddii lagu diro boostada Maraykanka xiliga loogu talagalay laguna diro boostada iyo ciwaanka saxda ah, inkastoo Karaaniga Maxkamadaha Racfaanku uusan heli doonin dukumiintiga isla maalinta aad kudirto boostada.

**For simplicity, this packet only includes forms and instructions for filing by mail. This packet assumes that you are filing by mail.** However, there are two other options for filing:

**Si aan ufududayno, baakadaan waxaa kaliya kujira foomamka iyo tilmaamaha kugudbinta racfaanka boostada. Baakadaan waxay uqaadanaysaa inaad racfaanka kudirayso boostada.** Hase yeeshee, waxaa jiro labo qaab oo kale oo aad kugudbin karto:

- 1) **Hand-delivering** them to the Clerk of the Appellate Courts during business hours (8:00 a.m. to 4:30 p.m. weekdays), or  
**Inaad si toos ah** ugu gayso Karaaniga Maxkamadaha Racfaanka inta lagu jiro saacadaha shaqada (8:00 a.m. ilaa 4:30 p.m. maamaha dhamaadka asbuuca), ama

- 2) **Submitting them electronically** through the appellate courts' e-filing system, E-MACS. Once you start to e-file in an appellate case, you must continue to e-file throughout the case – you cannot choose later to file in person or by mail. (**Note: All attorneys are required to use E-MACS and cannot file documents by mail or by hand-delivery to the Clerk of the Appellate Courts.**)

**Inaad si eektaroonig ah kugudbiso** adoo adeegsanaaya hanaanka gudbinta oonleenka ah ee maxkamadaha racfaanka, E-MACS. Markaad biloowdo inaad kiiska racfaanka kugudbiso qaab oonleen ah, waa inaad siiwadaa kugudbinta macluumaadka kiiska si oonleen dhamaan mudada kiiska kahartay – hadhoow madooran kartid inaad kiska kugudbiso qaab toos ah ama boostada. (**Ogsoonoow: Dhamaan qareenada waxa laga doonayaa inay adeegsadaan E-MACS kumana diri karaan dukumiintiyada boostada ama si toos ah uguma gayn karaan Karaaniga Maxkamadaha Racfaanka.**)

For information about electronic filing and to submit documents electronically, go to the Clerk of the Appellate Courts' webpage ([www.mncourts.gov/Clerk-of-Appellate-Courts.aspx#tab05AppellateFiling](http://www.mncourts.gov/Clerk-of-Appellate-Courts.aspx#tab05AppellateFiling)). For additional instructions on filing, see [Minn. R. Civ. App. P. 125.01](#). **The Clerk's Office cannot accept filings by fax or email.**

Si aad macluumaad uga hesho buuxinta dacwad si oonleen ah iyo gudbinta dukumiintiyada si oonleen ah, booqo websetka Karaaniga Maxkamadaha Racfaanka oo ah ([www.mncourts.gov/Clerk-of-Appellate-Courts.aspx#tab05AppellateFiling](http://www.mncourts.gov/Clerk-of-Appellate-Courts.aspx#tab05AppellateFiling)). Wixii tilmaamo dheeri ah oo laxariira gudbinta, kafiiri [Minn. R. Civ. App. P. 125.01](#). **Xafiiska Karaanigu ma aqbali karo dacwad lagusoo diray fakiska ama iimeelka.**

- Make four copies of each of the *Notice of Appeal* and *Statement of the Case*. Keep one copy of each document for your records.  
Afar koobi kalaba midkasta oo kamid ah **Ogaysiiska Racfaanka** iyo **Bayaanka Kiiska**. Hayso koobiga dukumiinti kasta oo kamid ah diiwaanadaada.
- File the original of the *Notice of Appeal* and *Statement of the Case* with the Clerk of the Appellate Courts by mailing it to the address above.  
Buuxi foomka rasmiga ah **ee Ogaysiiska Racfaanka** iyo **Bayaanka Kiiska** adoo ugudbinaaya Karaaniga Maxkamadaha Racfaanka uguna gudbinaaya boostada ciwaankedu kor kuyaalo.
- File one copy of the *Notice of Appeal* and *Statement of the Case* with the district court of the county where the order you are appealing was filed, by mailing it to that court's address.  
Gudbi mid kamid ah koobiyada **Ogaysiiska Racfaanka** iyo **Bayaanka Kiiska** una gudbi maxkamada degmada lagu sameeyay amarka aad racfaanka kaqaadanayso, adoo ugu diraaya ciwaanka boostada maxkamada.

**Step 4: Serve the documents on the other parties**  
**Talaabada 4: Udir dukumiintiga dhinacyada kale**

Any time you submit a document to the Clerk of the Appellate Courts for filing, a copy must also be provided to all other parties at or before the time of filing. This is called “service.”

Markasta oo aad dirto dukumiinti aadna udirto karaaniga Maxkamadaha Racfaanka si aad racfan uga qaadato, waa in sidoo kale koobi loodiraa dhamaan dhinacyada xiliga ama kahor xiliga aad racfaanka gudbinayso. Tan waxaa looyaqaanaa “adeegga.”

**Reminder: You must file the *Notice of Appeal* and serve it on the other parties by the deadline you calculated in Step 1, or your appeal will be dismissed.**

**Xasuuso: Waxaa qasab ah inaad gudbisa *Ogaysiiska Racfaankal* aadna udirtaa dhinacyada kale marka lagaaro xiliga aad kuxisaabisay Talaabada 1, ama racfaankaaga waa ladiidayaa.**

**General Instructions for “Service”/Tilmaamaha guud ee “Adeegga”**

If a party has an attorney, you must serve the attorney rather than the party. If a party does not have an attorney, you may serve that party directly.

Haddii dhinac kujira dacwada uu matalaayo qareen, waa inaad dukumiintiga udirtaa qareenka halkii aad cida uu matalaayo kasiin lahayd. Haddii aan dhinac kujira kiiska uusan lahayn qareen, waxaad dukumiintiga siin kartaa qoladaas si toos ah.

You can serve **by mail** by depositing the documents, correctly addressed, in the U.S. Mail, with adequate first-class postage. You can serve documents by mail yourself.

Waxaad ugu diri kartaa **boostada** adoo dukumiintiga ugu diraaya, si sax ahana ciwaanka ugu qoraaya, Boostada Maraykanka, ado kudiraaya boostada heerka koobaad oo kuhaboon. Waxaad dukumiintiyada kudiri kartaa adigu boostada.

**For simplicity, this packet only includes forms and instructions for service by mail. This packet assumes that you are serving the other parties by mail.**

**Si aan ufududayno, baakadaan waxaa kaliya kujira foomamka iyo tilmaamaha kugudbinta adeegga boostada. Baakadaan waxay uqaadanaysaa inaad dhinacyada kale dukumiintiga ugu dirayso boostada.**

However, there are other methods of service:

Hase yeeshee, waxaa jiro qaabab kale oo adeegga loo gudbiyo:

**(1) In person** (“personal service”): Have another person hand-deliver the document. The person who hand-delivers the document must be 18 years or older and not a party to the appeal. You cannot serve a party in person yourself.

**Si toos ah** (“adeegga tooska ah”): Inaad qofkale udhiibto si uu toos ugu geeyo dukumiintiga. Qofka keena dukumiintiga waa inuu noqdaa 18 sano jir ama kawayn uusana qayb ka ahayn racfaanka. Adigu si toos ah uguma gayn kartid qolo kale si toos ah.

**(2) Electronically:** If you filed electronically using the appellate courts' e-filing system, E-MACS, you can serve the respondents electronically as well, if the respondents are registered in E-MACS.

**Si elegtaroonig ah:** Haddii aad si elegtaroonig ah adoo adeegsanaaya hanaanka gudbinta oonleenka maxkamadaha racfaanka, E-MACS, waxaad ugu diri kartaa eedaysanayaasha si elegtaroonig ah sidoo kale, haddii eedaysanaayo kadiiwaangashan yihiin E-MACS.

**(3)** If the recipient consents to another method of delivery, such as email or fax, you could also use that method for service.

Haddii qofka helaaya dukumiintiga uu ogolaado inaad qaab kale ugu keento, sida inaad iimeel ama fakis ugu dirto, waxaad adeegsan kartaa qaabkaas aad adeegga kugudbinayso.

For additional instructions on service, see [Minn. R. Civ. App. P. 125.02 and 125.03](#).

Wixii laxariira tilmaamaha dheeriga ah ee adeegga, fiiri [Minn. R. Civ. App. P. 125.02 iyo 125.03](#).

- Mail a copy of the *Notice of Appeal* and *Statement of the Case* to the prosecutor (county attorney).

Boostada kudir koobiga **Ogaysiiska Racfaanka** iyo **Bayaanka Kiiska** adoo udiraaya dacwad oogaha (qareenka degmada).

- Mail a copy of the *Notice of Appeal* and *Statement of the Case* to the Minnesota Attorney General by mail, by addressing your documents to:

Boostada ugu dir koobiga **Ogaysiiska Racfaanka** iyo **Bayaanka Kiiska** Qareenka Guud ee Minnesota adoo ugu diraaaya boostada, adoo dukumiintiyada kudiraaya dukumiintiyada:

Minnesota Attorney General  
1800 Bremer Tower  
445 Minnesota Street  
St. Paul, MN 55101

### **Step 5: File proof of service/Talaabada 5: Gudbi cadaynta adeegga**

Every document submitted to the Clerk of the Appellate Courts for filing must be accompanied by a form stating that the document was served on the other parties to the appeal. This is called “proof of service.”

Dukumiinti kasta oo loodiyo Karaaniga Maxkamadaha Racfaanka si dacwad loo qabto waa in lasoo raaciyaa foom sheegaaya in dukumiintiga lasiiyo dhinacyada kale ee racfaanka kujira. Tan waxaa looayaqanaa “cadaynta adeegga.”

## General Instructions for “Proof of Service”/Tilmaamaha guud ee “Cadaynta Adeegga”

If you serve papers by mail, in person, or by another delivery method (with the consent of the recipient), “proof of service” is required along with any document you file.

Haddii aad waraaqaha kudirto boostada, si toos ah, ama qofkale uu toos uqaado (markaad ogolaansho kahesho qofka loodiraayo), “cadaynta adeegga” ayaa loobaahan yahay in lasoo raacsho dukumiinti kasta ood soo gudbiso.

Usually, “proof of service” is (1) a notarized *Affidavit of Service* or (2) a *Certificate of Service*. The difference between an *Affidavit of Service* and a *Certificate of Service* is that a *Certificate of Service* does not need to be signed in front of a notary.

Badanaa, “cadaynta adeegga” waa (1) Cadaynta *Adeegga oo Nootaayaysan* ama (2) *Shahaadada Adeegga*. Farqiga udhaxeeya *Cadaynta Adeegga* iyo *Shahaadada Adeegga* waa in *Shahaadada Adeegu* aysan ubaahanayn in lasaxiixo afka hore ee nootaayada.

You may file one *Affidavit of Service* or *Certificate of Service* listing multiple documents, but only if you serve those documents on the same date and on the same parties.

Waxaad gudbin kartaa hal *Cadaynta Adeegga ah* ama *Shahaadada Adeegga* adoo kuqoraaya dukumiintiyada badan, laakiin kaliya haddii aad dukumiintiyadaas soo gudbisay taariikh iskumid ah aadna udirtay dhinacyo iskumid ah.

For additional instructions on proof of service, see [Minn. R. Civ. App. P. 125.04](#).

Wixii tilmaamo dheeri ah oo kusaabsan cadaynta adeegga, kafiiri [Minn. R. Civ. App. P. 125.04](#).

### **For simplicity, this packet assumes that you are serving the other parties by mail.**

This packet includes a *Certificate of Service By Mail* for each of the documents you need to file to start an appeal. The *Certificate of Service By Mail* must include, from top to bottom:

**Si loofududeeyo, baakadaan waxay uqaadanaysaa inaad dhinacyada kale dukumiintiga ugu dirayso boostada.**

Baakadaan waxaa kujira *Shahaadada Adeegga oo Boostada Lagu Diraayo* ee dukumiinti kasta oo aad ubaahan tahay inaad gudbiso si aad ubiloowdo racfaanka. *Shahaadada Adeegga lagu Diraayo Boostada* waa in lagu diraa, sal iyo baar:

- The parties’ names and case file number;  
Magacyada iyo nambarka kiiska qolada;
- County where the form was signed;  
Degmada foomka lagu saxiixay;
- The name of the person who served the documents;  
Magaca qofka bixiyay dukumiintiyada;
- The titles of the documents that were served (on the *Certificate of Service* forms included with this packet, the titles of the documents are already filled in);  
Ciwaanada dukumiintiyada lagudbiyay (ee kuqoran foomamka *Shahaadada Adeegga* ee kujirta baakadaan, ciwaanada dukumiintiyada horay loo gudbiyay);
- The date the documents were served;  
Taariikhda dukumiintiga lagudbiyay;

- The names of the parties who were served and the addresses to which the documents were mailed to those parties;  
Magacyada dhinacyada loodiray dukumiintiga iyo ciwaanada dukumiintiyada boostada loogu diray dhinacyadaas;
- The signature of the person who served the documents, the date the form was signed, and the county and state where the form was signed.  
Saxiixa qofka dukumiintiyada diray, taariikhda foomka lasaxiixay, iyo wadanka iyo gobalka foomamka lagu saxiixay.

- The person who served the documents by putting them in the mail must complete and sign the form titled *Appellant’s Certificate of Service by Mail of the Notice of Appeal and Statement of the Case*.

Qofka diray dukumiintiyada ee boostada kudiray waa inuu buuxiyaa uuna saxiixaa foomka ciwaankiisu yahay *Shahaadada Racfaanka ee Adeegga lagu diray Boostada ee Ogaysiiska Racfaanka iyo Bayaanka Kiiska*.

- File the *Appellant’s Certificate of Service by Mail of the Notice of Appeal and Statement of the Case* by mailing it to the Clerk of the Appellate Courts (see Step 3 above for instructions on how to file documents).

Kugudbi *Shahaadada Adeegga Racfaan Qaataha Boostada Ogaysiiska Racfaanka iyo Bayaanka Kiiska* adoo boostada ugu diraaya Karaaniga Maxkamadaha Racfaanka (fiiri talaabada 3 ee kore si aar uga hesho tilmaamaha sida aad ugudbinayso dukumiintiyada).

### **Step 6: Receive the *Notice of Case Filing* and correct any deficiencies**

#### **Talaabada 6: Hel *Ogaysiiska Racfaanka* kadibna kasax wixii khaladaad ah**

After you file your *Notice of Appeal* and *Statement of the Case*, the Office of the Clerk of the Appellate Courts will assign your appeal an appellate court file number and will send you a *Notice of Case Filing*. If you did not provide the court with an email address in your contact information, the *Notice of Case Filing* will be mailed to you. If you provided the court with your email address, the *Notice of Case Filing* and all other correspondence from the court will be distributed to your email address. The *Notice of Case Filing* will list any problems (“deficiencies”) with your appeal paperwork that need to be corrected before your appeal can move forward.

Kadib markaad dirto *Ogaysiiska Racfaanka* iyo *Bayaanka Kiiska*, Xafiiska Karaaniga Maxkamadaha Racfaanka ayaa racfankaaga usamaynaaya nambarka faylka maxkamada racfaanka kuunasoo diraaya *Ogaysiiska Gudbinta Kiiska*. Haddii aadan siin maxkamada ciwaanka iimeelka ee kujira macluumaadka lagaalasoo xariirayo, *Ogaysiiska Gudbinta Kiiska* ayaa laguugusoo dirayaa boostada. Haddii aad maxkamada ukeento ciwaankaaga iimeelka, *Ogaysiiska Gudbinta Kiiska* iyo dhamaan xariirada kale ee kasoo gaara maxkamada waxaa lagu soo marinayaa ciwaankaaga iimeelka. Ogaysiiska *Gudbinta Racfaanka* ayaa qoraaya caqabado kasta (“cilado”) oo kajira dukumintiga racfaankaaga kuwaasoo ubaahan in lasaxo kahor intaan racfaankaaga lasii wadin.

- Receive the *Notice of Case Filing* from the Clerk of the Appellate Courts.

Hel *Ogaysiiska Gudbinta Kiiska* oo aad kahelayso Karaaniga Maxkamadaha Racfaanka.

My appellate case file number is A \_\_\_\_\_ - \_\_\_\_\_ .

Nambarka kiiskayga racfaanku waa

- Review your *Notice of Case Filing* to see if there are any deficiencies. If there are deficiencies, you will have ten days to correct them.

Dib u eegis kusamee *Ogaysiiskaaga Gudbinta Kiiska* si aad u aragto haddii ay jiraan wax cilado ah. Haddii ay jiraan wax cilado ah, waxaad helayso toban maalmood inaad kusaxdo.

- Correct all deficiencies listed. If you do not correct the deficiencies that are listed in your *Notice of Case Filing*, the Court of Appeals may dismiss your appeal.

Sax dhamaan ciladaha liiska kujira. Haddii aadan sixin ciladaha kujira *Ogaysiiskaaga Gudbinta Kiiska*, Maxkamada Racfaanada aya diidi karta racfaankaaga.

**Step 7: Order your *Transcript* (if applicable)**  
**Talaabada 7: Dalbo *Qoraalkaaga* (haddii ay jiraan)**

In addition to the parties' briefs, the "district court record" is the only information that the Court of Appeals considers in an appeal. The district court record includes documents filed in the district court and evidence used in the hearings before the district court judge or housing court referee.

Marka laga tago warbixinta kooban ee dhinacyada, "diiwaanka maxkamada degmada" waa warbixinta kaliya ee Racfaanada Maxkamada ku tixgelinayso racfaan. Diiwaanka maxkamada degmada waxaa ku jiro waraaqaha lagu xareeyay maxkamada degmada iyo cadeymo lagu isticmaalay dhageysiga garsooraha maxkamada degmada ama rifariiga maxkamada guriga hortood.

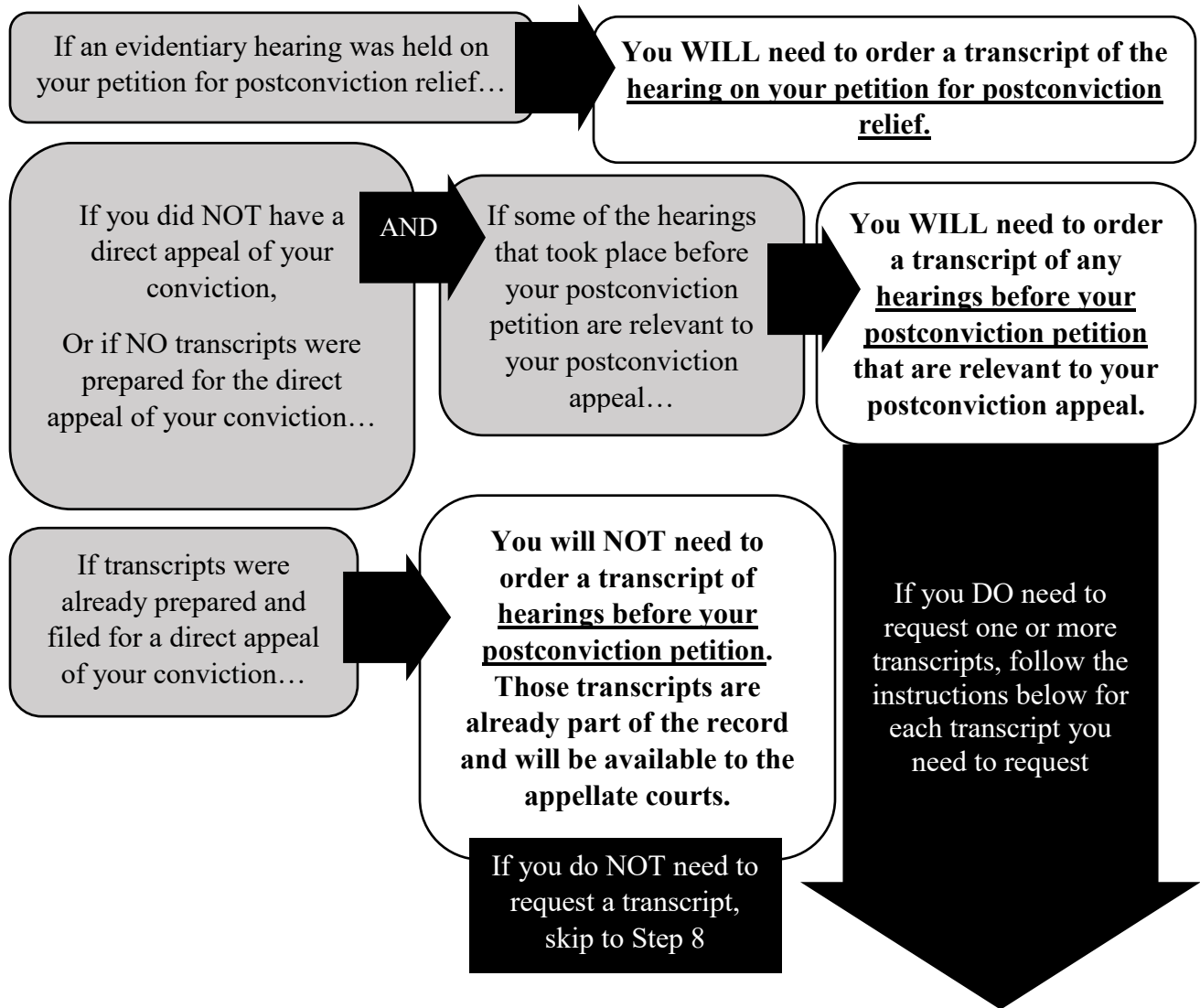
The district court record might also include a *transcript* of the hearing(s) before the district court judge. A *transcript* is a typed copy of what all of the witnesses, parties, and the judge said at your hearing. You should order a transcript of each hearing that you wish the Court of Appeals to consider as part of your postconviction appeal. The deadline for ordering your *transcript* is 30 days after you filed your *Notice of Appeal*. [Minn. R. Crim. P. 28.02, subd. 9.](#)

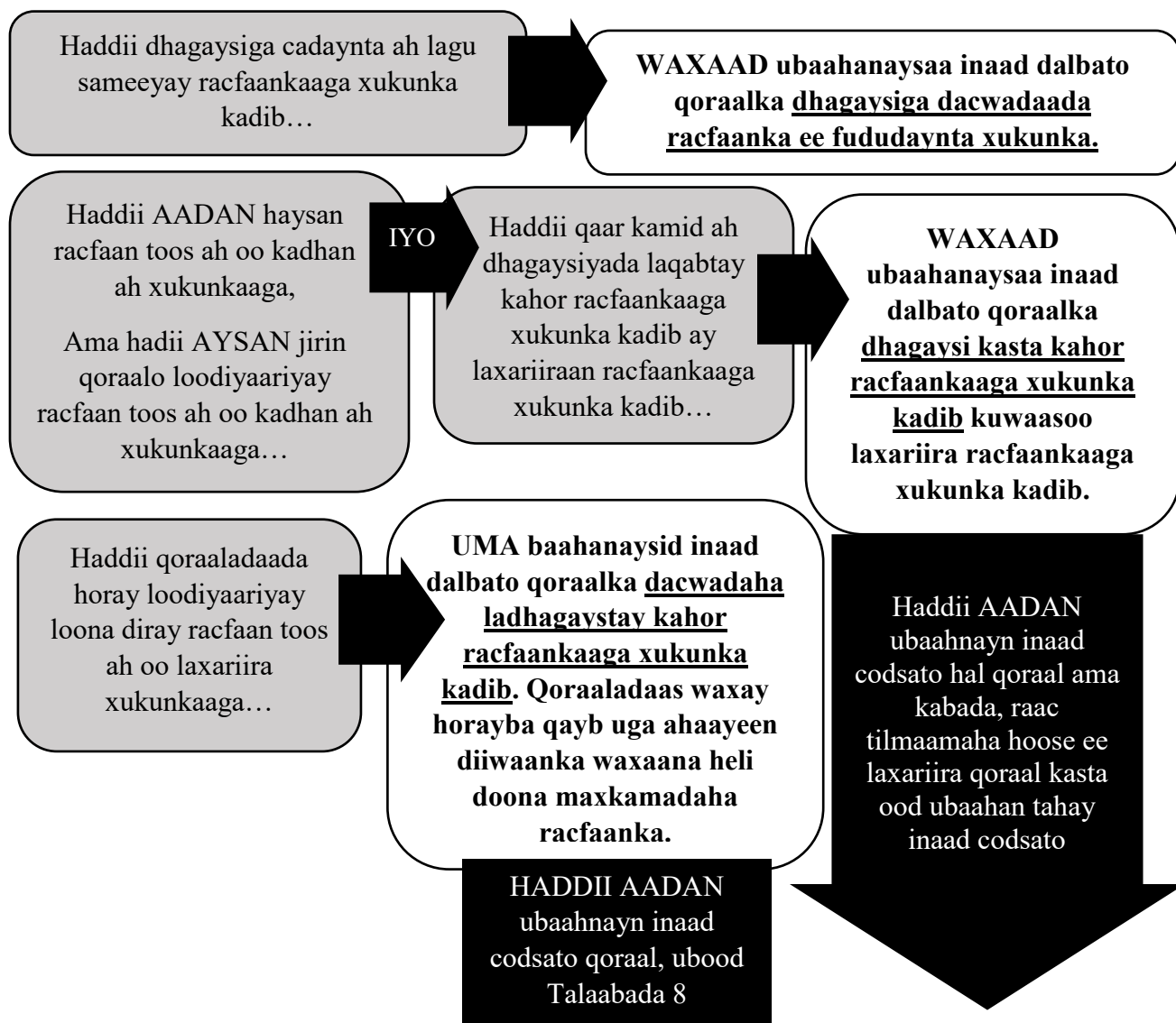
Diiwaanka maxkamada degmada waxaa sidoo kale ku jiri karo *qoraalka* dhageysiga (dhageysiyada) garsooraha maxkamada degmada hortiisa ah. *Qoraalka* waa nuqul la qoray oo waxa dhammaan marqaatiyada, dhinacyada, iyo garsooraha ka sheegeen dhageysiga. Waa inaad codsataa qoraalka dhagaysi kasta oo aad doonayso in Maxkamada Racfaanadu dib u eegto ayadoo qayb ka ah racfaankaaga xukunka kadib. Waqtiga kama danbaysta ah ee dalbashada *qoraalka* waa 30 maalmood kadib arkaad buuxiso *Ogaysiiska Racfaanka*. [Minn. R. Crim. P. 28.02, subd. 9.](#)



- Answer each of the questions in the grey bubbles below to decide whether you need to request a transcript of a district court hearing. If you do NOT need to request a transcript, skip to Step 8. If you DO need to request a transcript, follow the instructions on the next page.

Kajawaab mid kasta oo kamid ah su'aalaha kujira batoonad gareeyga ah si aad go'aan uga gaarto inaad ubaahan tahay inaad codsato qoraalka dhagaysiga maxkamada iyo inkale. HADDII AADAN ubaahnayn inaad codsato qoraal, ubood Talaabada 8. Haddii aad ubaahato inaad codsato qoraalka, raac tilmaamaha kuqoran bogga xiga.





For each hearing you are requesting a transcript of, gather this information:  
Dhagaysi kasta oo aad codsanayso qoraalkiisa, soo aruurso macluumaadkaan:

- (1) District court case file number for your case/Nambarka faylka kiiska maxkamada degmada ee kiiskaaga: \_\_\_\_\_
- (2) Date of the hearing(s)/Taariikhda dhagaysiga (dhagaysiyada) lasameeyay: \_\_\_\_\_
- (3) Name of the judge at the hearing(s)/Magaca xaakimka dhagaysiga (dhagaysiyada) qabtay: \_\_\_\_\_

You will need to provide this information when you request the transcript.  
Waxaad ubaahan tahay inaad keento macluumaadkaan markaad codsato qoraalka.

- Call court administration at the district court where your hearing took place for instructions on how to request a transcript. You can find contact information for the district court at <http://www.mncourts.gov/Find-Courts.aspx>.

Wac maxkamada maamulka ee degmada maxkamada halkaasoo dhagaysigaagu kadhacay si aad uhesho tilmaamo laxariira sida aad ucodsanayso qoraalka. Waxaad kahelaysaa macluumaadka xariirka ee maxkamada degmada barta <http://www.mncourts.gov/Find-Courts.aspx>.

- Follow court administration's instructions to request a transcript. To request a transcript, court administration should provide you with the following information:

Raac tilmaamaha maamulka maxkamada si aad ucodsato qoraal. Si aad ucodsato qoraal, maamulka maxkamadu waa inay kusiiyaan macluumaadka soosocda:

- (1) Court reporter's name/ Magaca Wariyaha Maxkamada: \_\_\_\_\_
- (2) Court reporter's contact information/Macluumaadka lagala xariiraayo wariyaha maxkamada: \_\_\_\_\_

- Pay the fee for the transcript. After you submit your transcript request, the court reporter will contact you and will provide you with an estimated cost to prepare the transcript and the estimated date when the transcript will be complete. Payment must be made before the transcript is prepared.

Dhiib qarashka qoraalka. Kadib markaad dirto codsigaaga qoraalka, wariyaha maxkamada ayaa kulasoo xariiraaya, kadibna kuusheegaaya qarashka lafilaayo inay kubaxdo diyaarinta qoraalka iyo xiliga lafilaayo in qoraalku diyaar noqdo. Qarashka waa in ladhiiibaa kahor intaan qoraalka ladiyaarin.

What if I cannot afford the transcript fee?

Kawaran haddii aanan awoodin qarashka qoraalka?

- If you qualify for representation by the Office of the Minnesota Appellate Public Defender, that office can assist with requesting a transcript without requiring a fee. Call (651) 201-6700 to determine whether you qualify for representation and to request assistance with your transcript request.

Haddii aad uqalanto matalaada Xafiiska ee Difaaca Dawladu Bixiso ee Racfaanka Minnesota, xafiiskan ayaa kaacaawin kara codsashada qoraalka adoon qarash dhiibin. Wac (651) 201-6700 si loo go'aansho inaad uqalanto iyo inkale matalaad iyo inaad codsato caawimaad lagaa siiyo codsigaaga qoraalka.

- Even if you don't qualify for representation by the appellate public defender, you can request that the district court waive your transcript fees. Instructions and forms for making this request are available at

<http://mncourts.gov/GetForms.aspx?c=19&p=70>. These forms must be filed in the district court where your case was decided.

Xataa haddii aadan uqalmin matalaad uu kuusameeyo difacaha dawlada ee racfaanka, waxaad kacodsan kartaa maxkamada degmada inay kaadhaafto qarashaadka qoraalka. Tilmaamaha iyo foamka dirista codsigaan ayaad kahelaysaa <http://mncourts.gov/GetForms.aspx?c=19&p=70>. Foomamkaan waa in lagu buuxshaa maxkamada degmada ee kiiskaaga lagu go'aanshay.

- Provide the court reporter with the names and contact information for the other parties involved with the appeal, so that the court reporter can provide them with copies of the transcript. **It is the appellant's responsibility to order copies of any transcript being prepared for appeal for all the other parties to the appeal.**

Sii wariyaha maxkamada magacyada iyo macluumaad lagala xariiraayo dhinacyada kale ee kujira racfaanka, si uu wariyaha maxkamadu usiiyo koobiyada qoraalka. **Waa waajib saaran racfaan qaataha inuu dalbado koobiyada qoraal kasta oo laga diyaarshay racfaanka kuwaasoo lasiinaayo dhamaan dhinacyada kale ee racfaanka kujira.**

- Work with the court reporter to fill out a *Transcript Certificate*. This form tells the Court of Appeals that you have requested the transcript and will pay the court reporter. See [Minn. R. Civ. App. P. 110.02](#). The court reporter will have this form, or it is available online at <http://www.mncourts.gov/SupremeCourt/Court-Rules/Forms-Appendix-for-the-Rules-of-Civil-Appellate-Pr.aspx>. The *Transcript Certificate* must include:

Kala shaqee wariyaha maxkamada si aad ubuuxiso *Shahaadada Qoraalka*. Foomkaan wuxuu usheegayaa Maxkamada Racfaanada inaad codsatay qoraalka aadna lacagta siinayso wariyaha maxkamada. Kafiiri [Minn. R. Civ. App. P. 110.02](#). Wariyaha maxkamada ayaa helaaya foomkaan, ama waxaa laga heli karaa oonleen ahaan barta <http://www.mncourts.gov/SupremeCourt/Court-Rules/Forms-Appendix-for-the-Rules-of-Civil-Appellate-Pr.aspx>. *Shahaadada Qoraalka* waa inay kujiraan:

- (1) The date you requested the transcript from the court reporter;  
Taariikhda aad codsatay qoraalka aadna kadalbatay wariyaha maxkamada;
- (2) An estimated date that the court reporter will complete the transcript, deliver it to the parties, and file it with the district court;  
Taariikhda laqiyaasaayo in wariyaha maxkamadu kudhamaynaayo qoraalka, uu kusiinaayo dhinacyada, uuna ugu gudbinaayo maxkamada degmada;
- (3) Your signature (if you are acting as your own attorney); and  
Saxiixaaga (haddii aad adigu qareen isku tahay); iyo
- (4) The signature of the court reporter.  
Saxiixa wariyaha maxkamada.

- The court reporter will file the completed *Transcript Certificate* electronically.  
Wariyaha maxkamada ayaa kugudbinaaya *Shahaadada Qoraalka* si oonleen ah.

After the court reporter receives payment, the court reporter will prepare the transcript and provide it to you and the other parties electronically or by mail. The court reporter will also file a copy of the transcript in the district court and verify with the Clerk of the Appellate Courts that this was done.

Kadib marka wariyaha maxkamadu helo qarashka, wariyaha maxkamadu wuxuu diyaarinayaa qoraalka kadibna wuxuu siinayaa adigga iyo dhinacyada kale ee racfaanka kujira si oonleen ah. Wariyaha maxkamada aya sidoo kale udiraaya koobiga qoraalka maxkamada degmada kana xaqiijinaaya Karaaniga Maxkamadaha Racfaanka in shaqadaan lafuliyay.

## Step 8: Calculate the Deadline for your *Brief*

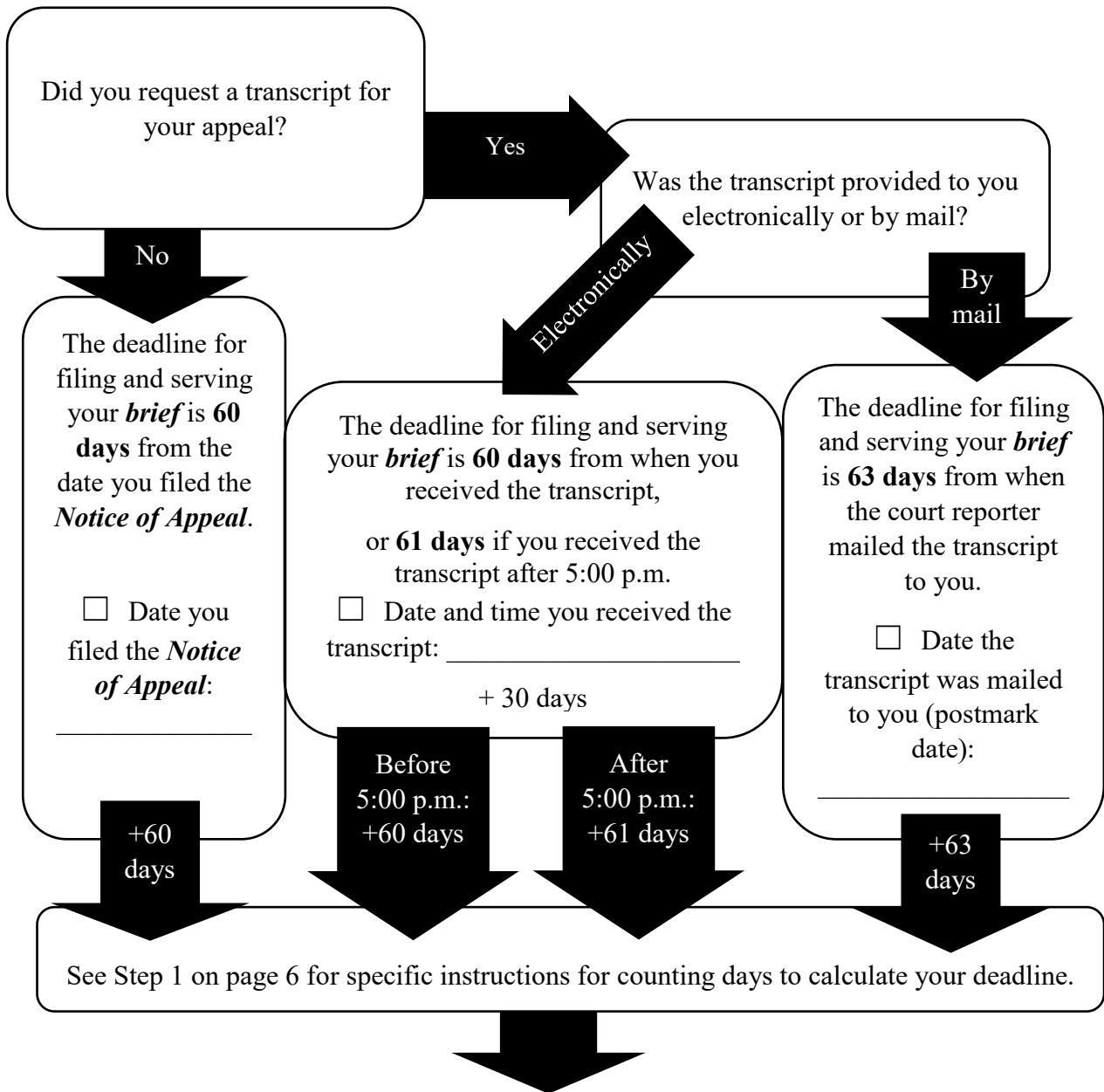
### Talaabada 8: Xisaabi waqtiga kama danbaysta ah ee *Dacwadaada Kooban*

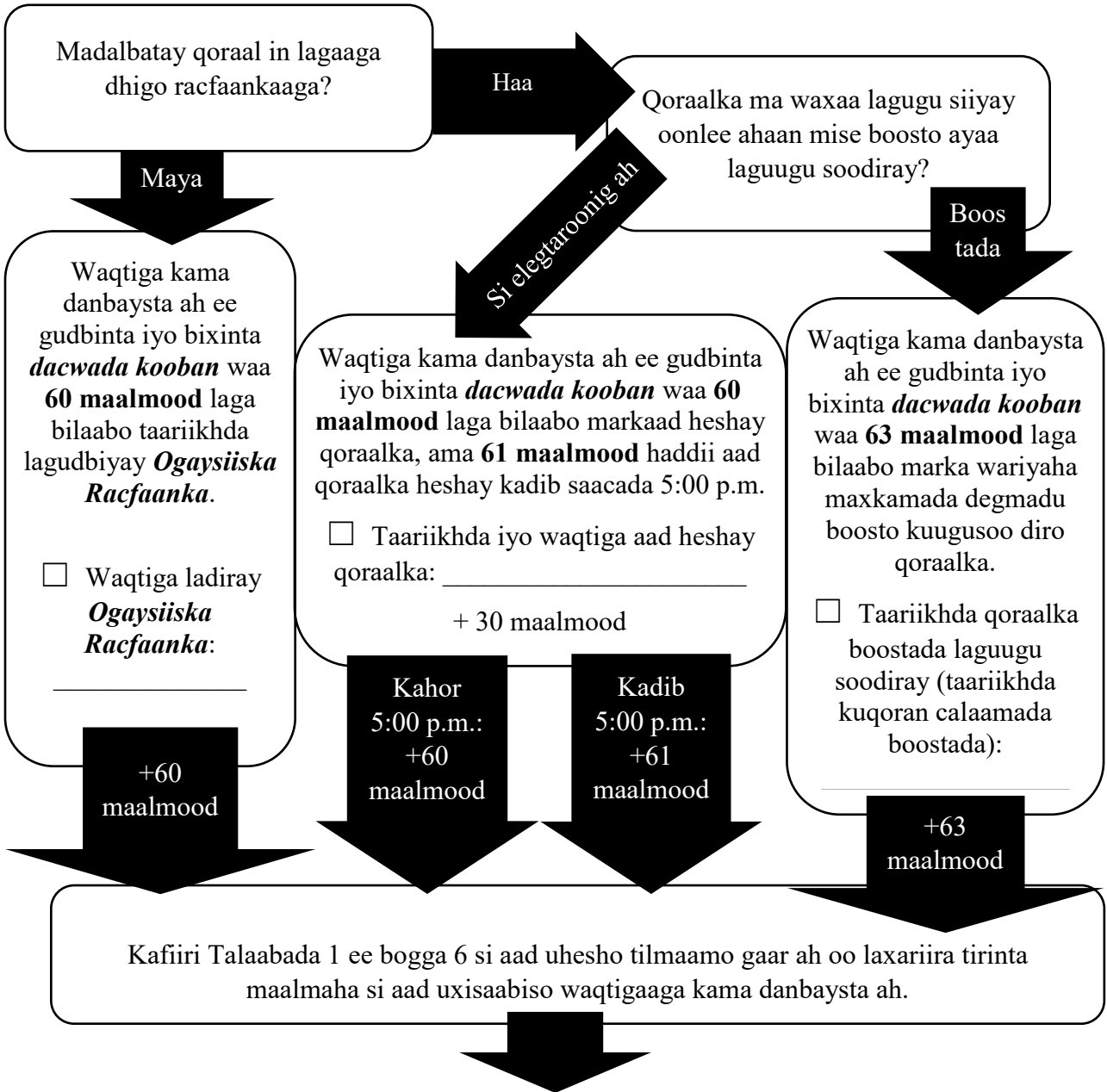
Your written argument on appeal is called a “brief.” As the appellant (appealing party), **you must file a *brief*, or your appeal will be dismissed.** See [Minn. R. Civ. App. P. 142.02](#). You are responsible for calculating and keeping track of your own deadlines – appellate court staff cannot do it for you.

Doodaada qoran ee laxariirta racfaanka waxaa loogu yeeraa “dacwad kooban.” Adoo ah racfaan qaate (dhinaca racfaanka diraaya), **waa inaad gudbisaa *dacwad kooban*, hadii kale racfaankaaga waa ladiidayaa.** Kafiiri [Minn. R. Civ. App. P. 142.02](#). Waxaad masuul katahay xisaabinta iyo lasocoshada waqtigaaga kama danbaysta ah – shaqaalaha maxkamada racfaanku kuuma qaban karaan shaqadaas.

The deadline for your *brief* depends on whether you requested a transcript and whether the transcript was sent electronically or mailed to you (See [Minn. R. Crim. P. 28.02, subd. 10](#); [Minn. R. Crim. P. 34.04](#)):

Taariikhda kama danbaysta ah ee *dacwadaada kooban* waxay kuxiran tahay inaad codsatay qoraal iyo in qoraalka laguugusoo diray oonleen ahaan ama boostada (Kafiiri [Minn. R. Crim. P. 28.02, subd. 10](#); [Minn. R. Crim. P. 34.04](#)):





The deadline for my brief is \_\_\_\_\_.  
 Waqtiga kama danbaysta ah ee dacwadayda kooban waa \_\_\_\_\_.

## Step 9: Prepare your *Brief*/Talaabada 9: Diyaarso *Dacwadaada Kooban*

Your *brief* is your opportunity to tell the Court of Appeals why you believe the district court's decision was wrong. Your *brief* must include legal authorities (case citations, statutes, or court rules). All statements of fact must be supported by references to the transcript or other evidence in your district court record.

Dacwadaada *kooban* waa fursada aad ugu sheegayso Maxkamada Racfaanada sababta aad u aaminsan tahay in go'aanka maxkamada degmadu khaldanaa. Dacwadaada *Kooban* waa inay kujirtaa saraakiisha sharciga (meelaha lagasoo xigtay kiiska, qawaaniinta, ama xeerarka maxkamada). Dhamaan bayaanada xaqiiqadu waa inay taageero kagaystaan tixraacyo kuqoran qoraalka ama cadayn kale oo ay hayso maxkamada degmadaadu.

You have three options for the format of your *brief*:

Waxaad haysataa saddex dookh oo ku aadan qaabka *dacwadaada kooban*:

- (1) **Formal Brief:** A formal brief includes a table of contents, a statement of the legal issues, a statement of the case and the facts, an argument, a conclusion, and an addendum. See [Minn. R. Civ. App. P. 128.02](#), [Minn. R. Civ. App. P. 130.02](#). A formal brief must be bound in a specific way, and can't just be stapled. A list of approved binding methods under [Minn. R. Civ. App. P. 132.01](#) is available at <http://mncourts.gov/Clerk-of-Appellate-Courts.aspx#ApprovedBriefBindingMethods>.

**Dacwad kooban oo Rasmi ah:** Warbixinta kooban ee rasmiga ah waxaa ku jiro tusmooyinka jadwalka, bayaanka arimaha sharciga, bayaanka dacwada iyo xaqiiqaha, dooda, gabagabada, iyo dheeraadka. Kafiiri [Minn. R. Civ. App. P. 128.02](#), [Minn. R. Civ. App. P. 130.02](#). Warbixinta kooban ee rasmiga ahi waxay ku saleysan tahay qaab gaar ah, oo la iskuma dhajin karo kaliya. Liiska qaababka la ansixisay oo sharci ah oo waafaqsan [Minn. R. Civ. App. P. 132.01](#) waxaad kahelaysaa <http://mncourts.gov/Clerk-of-Appellate-Courts.aspx#ApprovedBriefBindingMethods>.

- (2) **Informal Brief:** If the court gives permission to file an informal brief, it may be simply stapled instead of bound. It must include a written argument and addendum. See [Minn. R. Civ. App. P. 128.01, subd. 1](#). To receive permission to file an informal brief, you would need to file a motion requesting permission. See page 27 for more information about motions.

**Dacwad kooban oo aan Rasmi ahayn:** Haddii maxkamadu fasaxdo inaad soo gudbiso dacwad kooban oo aan rasmi ahayn, waxaa kaliya lagu dhufan karaa biingad halkii ay isku dhaganaan lahayd. Waa inay kujiraan dood iyo faahfaahin qoran. Kafiiri [Minn. R. Civ. App. P. 128.01, subd. 1](#). Si aad uhesho fasaxa aad kugudbinasyo dacwad kooban oo aan rasmi ahayn oo qoraal ah, waa inaad gudbisaa soojeedin aad kucodsanayso fasax. Kafiiri bogga 27 wixii macluumaad dheeri ah oo ku aadan soojeedinada.

- (3) **Memorandum of Law and Short Letter Argument:** If you gave a written argument to the district court in support of your postconviction petition, you may file that **Memorandum of Law** as your brief, along with a short letter argument that addresses the district court judge's denial of your postconviction petition. This may be stapled and must include an addendum. See [Minn. R. Civ. App. P. 128.01, subd. 2](#).



***Bayaanka Sharciga iyo Waraaq Kooban oo Dood ah:*** Hadaad siisay dood qoraal ah maxkamada degmada si aad ugu cuskato racfaankaaga xukunka kadib, waxaad gudbin kartaa ***Bayaanka Sharciga*** kasoo noqonaaya dacwadaada kooban, adoo soo raacinaaya waraaq kooban oo dood kuqoran tahay taasoo sheegaysa diidmada xaakimka maxkamada degmada ee racfaankaaga xukunka kadib. Tan waxaa laga yaabaa in la shaambadeeyo oo lagu dhajiyo qoraalka. Kafiiri [Minn. R. Civ. App. P. 128.01, subd. 2.](#)

- Choose the format for your ***brief*** (formal, informal, or short letter argument). Note: This should match the option you marked in your ***Statement of the Case***.

Dooro qaabka ***dacwadaada kooban*** (rasmi, aan rasmi ahayn, ama waraaqda kooban ee dooda ah). Ogsoonow: Tani waa inay waafaqdaa dookha aad kuqortay ***Bayaankaaga Kiiska***.

- Write your ***brief***. The Minnesota State Law Library website has helpful information about writing briefs and example briefs you can read (<http://mncourts.libguides.com/appeals/briefs>).

Qor ***dacwadaada kooban***. Websetka Maktabada Sharciga Gobalka Minnesota waxaa kujira macluumaad muhiim ah oo kusaabsan qorista dacwadaha kooban iyo tilmaamaha dacwadaha kooban ee aad akhrin karto (<http://mncourts.libguides.com/appeals/briefs>).

- Prepare the addendum to your ***brief***. No matter what type of brief you file, the appellant's brief **must** include an addendum (respondents **may** include an addendum with their brief, but the addendum is required for appellant's brief). The requirements for your addendum are listed in [Minn. R. Civ. App. P. 130.02](#).

Diyaari sharaxaada dheeriga ah ee ***dacwadaada kooban***. Ka kooban nooca ay doonto hadii aad xarayso, warbxinta kooban ee racfaanlaha **waa** inay ku jirtaa qoraal (eedeysanayaasha **waxaa** ku jiro qoraal la jiro koobidooda, laakin qoraalka waxaa looga baahanyahay dulmarka ee racfaanlaha). Sharuudaha qoraalkaaga waxay ku qorantahay [Minn. R. Civ. App. P. 130.02](#).

- One required part of your addendum is a copy of the decision you are appealing, even if you submitted a copy of the decision in the beginning of the appeal. If the addendum to your brief does not include a copy of the decision, the Clerk's Office will reject the entire brief.

Hal qeyb oo loo baahanyahay ee qoraalkaaga waa nuqulka go'aanka aad ka racfaan qaadaneysid, xittaa hadii aad gudbisay nuqulka go'aanka bilowga racfaanka. Haddii qoraalka warbixintaada koobani aysan ku jirin nuqulka go'aanka, Xafiiska Karaaniga way diidaya koobida oo dhan.

- Your addendum may also contain up to 50 additional pages of documents from the record or statutes, rules, cases or other authorities that would be helpful to the court when reading your brief. However, **you cannot include any new evidence that was not presented to the district court judge.**

Qoraalkaaga wuxuu sidoo kale wadan karaa illaa 50 bogg oo dheeraad ah oo waraaqaha diiwaanka ama qaynuunada, sharciyada, dacwadaha ama maamulada kale oo gacan siinaya maxkamada markii aad aqrineysid warbixinta kooban. Laakiin, **kuma dari kartid wax cadeyn cusub oo aan loosoo bandhigin garsooraha maxkamada degmada.**

**Step 10: File and Serve your Paper Copies of your *Brief***  
**Talaabada 10: Gudbi oo Bixi Koobiyada Waraaqaha *Dacwadaada Kooban***

Even if you e-file and e-serve your *brief* using the appellate courts' E-MACS system, you will need to file and serve **paper** copies of your *brief*. See [Minn. R. Civ. App. P. 131.03](#). **Note: Briefs are the only document type that requires additional service of paper copies even after the document has been e-filed and e-served using the E-MACS system.**

Xataa haddii aad dacwadaada kooban kudirto kuna bixiso qaab oonleen ah **adoo** adeegsanaaya hanaanka maxkamada racfaanka ee E-MACS, waa inaad gudbisaa aadna bixisaa **koobiyada** waraaqaha ah ee **dacwadaada kooban**. Kafiiri [Minn. R. Civ. App. P. 131.03](#). **Ogsoonow: Dacwadaha kooban waa kaliya nooca dukumiintiga ubaahan adeegyo dheeri ah oo koobiyada waraaqaha ah xataa kadib marka dukumiintiga lagu gudbiyo laguna baxiyo si oonleen ah ayadoo la adeegsanaayo hanaanka E-MACS.**

- Make **eight** paper copies of your brief. If you are filing a formal brief, make sure **seven** of the copies are bound according to the instructions in [Minn. R. Civ. App. P. 132.01](#). Keep **one** copy of the brief for your records.

Koobiye **koobiyada** sideed waraaqood oo dacwadaada kooban ah. Haddii aad buuxinayso dacwad kooban oo rasmi ah, xaqiiji **inaad todobo** kamid ah koobiyadu ay qaab rasmi ah iskuhaystaan si waafaqsan tilmaamaha kuqoran [Minn. R. Civ. App. P. 132.01](#). Hayso **hal** koobiga dukumiinti kasta ah oo kamid ah diiwaanadaada.

- File **five** paper copies of the brief by mailing them to the Clerk of the Appellate Courts (see Step 3 above for instructions on how to file documents). If you are filing a formal brief, four copies should be bound and one should be unbound.

Gudbi **shan** koobiyo waraaq ah oo kakooban dacwada adoo boostada ugu diraaya Karaaniga Maxkamadaha Racfaanka (fiiri talaabada 3 ee kore si aar uga hesho tilmaamaha sida aad ugudbinayso dukumiintiyada). Hadaad dacwad kooban oo rasmi ah dirayso, afar koobi waa in la isku dhajiyaa halka hal uu kala furnaanaayo.

- Serve **two** paper copies on the prosecutor (county attorney).

Bixi **labo** waraaqood oo koobi ah siina dacwad oogaha (qareenka degmada).

Note: If the Minnesota Attorney General is representing the state, serve these copies on the Minnesota Attorney General instead of the county attorney.

Ogsoonow: Haddii Qareenka Guud ee Minnesota uu matalaayo gobalka, sii koobiyadaan Qareenka Guud ee Minnesota halkii aad kasiin lahayd qareenka degmada.

- The person who served the brief must fill out and sign the form titled *Appellant's Certificate of Service by Mail of Brief* (see Steps 4 & 5 above for instructions about service and proof of service).

Qofka bixiyay dacwada kooban waa inuu buuxiyaa uuna saxiixaa foomka ciwaankiisu yahay **Shahaadada Adeegga Racfaan qaataha ee Boostada lagu diray ee Dacwada Kooban** (kafiiri Talabooyinka 4 iyo 5 ee kor kuqoran si aad uhesho tilmaamaha laxariira adeegga iyo cadaynta adeegga).

- File the *Appellant's Certificate of Service by Mail of Brief* by mailing it to the Clerk of the Appellate Courts (see Step 3 above for instructions on how to file documents).  
Kugudbi *Shahaadada Adeegga Racfaan Qaataha Boostada Dacwada Kooban* adoo boostada ugu diraaya Karaaniga Maxkamadaha Racfaanka (fiiri talaabada 3 ee kore si aar uga hesho tilmaamaha sida aad ugudbinayso dukumiintiyada).

### General Information about “Motions”/Macluumaad guud oo laxariira “Soojeedinada”

If you cannot serve and file your brief by the deadline you calculated and you need more time, or if you want to make any other request of the court, you must serve and file a signed, written request asking the court for the relief you need. This formal request is called a “motion.”

Haddii aadan bixin karin aadana gudbin karin dacwadaada kooban marka lagaaro xiligii looqabtay ee aad xisaabsatay aadna ubaahan tahay waqti dheeri ah, ama hadii aad rabto inaad codsi kale udhiibato maxkamada, waa inaad keentaa aadna gudbisaa codsi saxiixan, oo qoran oo aad kaga dalbanayso maxkamada inay baahidaada fududayso. Codsiga rasmiga ah waxaa looyaqaanaa “soojeedin.”

The motion must state (1) what you are requesting and (2) the reason(s) for that request. The requirements for a motion are found in [Minn. R. Civ. App. P. 127](#) and specific instructions for requesting a briefing extension are found in [Minn. R. Civ. App. P. 131.02](#).

Soojeedintu waa inay sheegtaa (1) waxa aad codsanayso (2) sababta (sababaha) aad codsiga usamaynayso. Shuruudaha soojeedinta waxaa laga helaa [Minn. R. Civ. App. P. 127](#) iyo tilmaamaha gaarka ah ee codsiga kordhinta muddada dacwada kooban waxaad kahelaysaa [Minn. R. Civ. App. P. 131.02](#).

You must serve the written motion on the respondents. When you file your motion with the Clerk of the Appellate Courts, you must also file proof of service (such as a *Certificate of Service*). See Steps 4 & 5 for more instructions about service and proof of service.

Waa inaad siisaa soojeedinta oo qoran eedayanayaasha. Markaad ugudbisoo soojeedintaada Karaaniga Maxkamadaha Racfaanka, waa inaad sidoo kale gudbisaa cadaaynta adeegga (sida *Shahaadada Adeegga*). Kafiiri Talaabooyinka 4 iyo 5 tilmaamo dheeri ah oo laxariira adeegga iyo cadaaynta adeegga.

If you are requesting an extension of a deadline, your motion should be served and filed before the deadline you wish to extend.

Haddii aad codsanayso in lagu kordhiyo muddada kama danbaysta ah, waa inaad soojeedintaada soo gudbisaa aadna bixisaa kahor intaan lagaarin mudada aad doonayso in kordhin lagu sameeyo.

**Step 11: Prepare, file, and serve a *Reply Brief* (optional)**  
**Talaabada 11: Diyaari, gudbi, oo qaybi *Macluumaadka Kooban ee Jawaabta* (ikhtiyaari)**

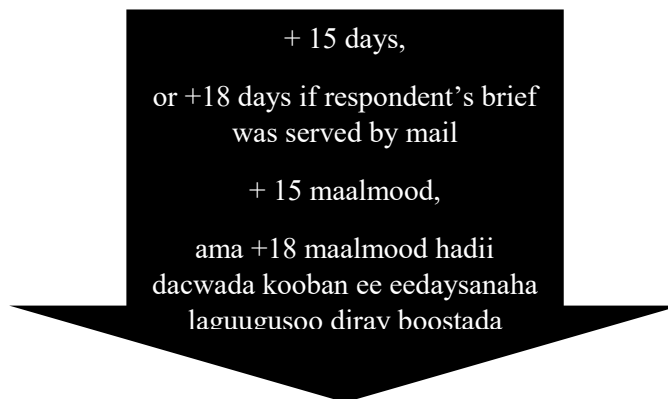
After you file your brief, the respondent has 45 days to serve and file the *respondent's brief*. If the *respondent's brief* raises new issues that are not addressed in your brief, you may wish to file a *reply brief* responding to those new issues (but you do not have to file a *reply brief*). Your reply brief cannot raise new grounds for reversal or issues that were not raised in your brief or the *respondent's brief*.

Kadib markaad soo gudbiso macluumaadkaaga kooban, eedaysanuhu wuxuu haystaa 45 maalmood inuu kubaxsho uuna kugudbiyo *dacwada kooban ee eedaysanaha*. Haddii *dacwada kooban ee eedaysanuhu* sababto arimo cusub oon looga hadlin dacwadaada kooban, waxaad dooran kartaa inaad gudbiso *jawaab kooban* ood uga jawaabayso arimahaas cusub (laakiin ua baahnid inaad gudbiso *jawaab kooban*). Jawaabtaadu waa inaysan abuurin doodo cusub oo laxariira isbadalo ama arimo aan horay loogu sheegin dacwadaadii koobnayd ee hore ama *dacwada kooban ee eedaysanaha*.

If you choose to file a *reply brief*, the deadline is 15 days after the date you were served with the *respondent's brief*. [Minn. R. Crim. P. 28.02, sub.d 10](#). If the respondent's brief was served on you by mail, you may add three days from the date respondent put the brief in the mail. [Minn. R. Civ. P. 6.05](#). See Step 1 for specific instructions on calculating deadlines.

Haddii aad doorato inaad gudbiso *jawaab kooban*, mudada kama danbaysta ah waa 15 maalmood kadib marka lagu siiyo *jawaabta kooban ee eedaysanaha*. [Minn. R. Crim. P. 28.02, sub.d 10](#). Haddii dacwada kooban ee eedaysanaha lagu siiyay dhinaca boostada, waxaad kudarsan kartaa sadex maalmood laga bilaabo maalintii eedaysanuhu galiyay dacwada boostada. [Minn. R. Civ. P. 6.05](#). Kafiiri Talaada 1 tilmaamo gaar ah oo laxariira xisaabinta maalmaha kama danbaysta ah.

- The date I was served with the *respondent's brief* was \_\_\_\_\_.  
 Taariikhda la isiiyay *dacwada kooban ee eedaysanaha* waxay ahayd



- The deadline for my *reply brief* is \_\_\_\_\_.  
 Waqtiga kama danbaysta ah ee *jawaabtayda kooban* waa

## What Happens Next?/Maxaa dhacaaya Intaas Kadib?

### **Court of Appeals Receives the Evidentiary Record and Briefs** **Maxkamada Racfaanada ayaa Helaysa Diiwaanada iyo Dacwadaha** **Kooban ee Cadaynta wata**

If you requested a transcript of a hearing in your postconviction appeal (or the underlying criminal case), the court reporter will file that transcript with the district court. The district court sends the record from your case, including the transcript(s), to the Court of Appeals.

Haddii aad codsatay in dhagaysiga dacwadaada racfaanka xukunka kadib qoral lagaaga dhigo (ama kiiska kujira ee danbiga), wariyaha maxkamada ayaa gudbinaaya qoraalkaas una diraaya maxkamada degmada. Maxkamada degada ayaa udiraysa diiwaanaka kiiskaaga, ayna kujiraan qoraalka (qoraalada), Maxkamada Racfaanada.

As described in Step 11, the respondent has an opportunity to submit a brief to the Court of Appeals, and you may (but do not have to) file a reply brief after you receive the respondent's brief.

Sida lagu qeexay talaabada 11, edaysanaha ayaa fursad uhelaaya inuu gudbiyo dacwad gooban oo uu udiro Maxkamada Racfaanada, adiguna waxaad awoodaa (laakiin qasab kuguma ahan) inaad gudbiso jawaab kooban kadib markaad hesho dacwada kooban ee eedaysanaha.

### **Oral Argument or Non-Oral Consideration** **Dooda Hadalka ah ama Kabaaraan Dagida Hadalka aan ahayn**

After the parties have filed their briefs, your appeal will be scheduled for consideration by a panel of three Court of Appeals judges. You will receive a *Notice* of the date of oral argument or non-oral consideration by the panel. This notice will also include the names of the judges assigned to decide your case.

Kadib marka dhinacyado soo gudbiyaan dacwadahooda kooban, racfaankaaga waxaa loodiyaarinayaa in laga baaraan dago waxaana kabaarana dagaaya gugi kakooban sadex xaakimyada Maxkamada Racfaanada ah. Waxaad helaysaa *Ogaysiis* ku aadan taariikhda dooda hadalka ah ama Kabaaraan Dagida Hadalka aan ahayn ay qabanayaan gudigu. Ogaysiiskan waxa sidoo kale kujiri doona magacyada xaakimyada looqorsheeyay inay kiiskaaga go'aan kagaaraan.

If you are not represented by an attorney, the Court of Appeals will not allow oral argument by any party. See [Minn. App. Spec. R. Pract. 2](#).

Haddii uusan kumatalin qareen, Maxkamada Racfaanadu ma ogolaan doonto dood afka ah oo in looqabto dhinacna. Kafiiri [Minn. App. Qaas ah. R. Pract. 2](#).

In deciding your appeal, the Court of Appeals looks at the evidence used in the hearing(s) before the district court judge. You may not give new evidence on appeal without first getting permission from the Court of Appeals. The Court of Appeals generally does not accept new evidence.

Marka racfaankaaga go'aan laga gaaraayo, Maxkamada Racfaanadu waxay eegaysaa cadaynta loo adeegsaday dhagaysiga (dhagaysiyada) laga hor sheegay xaakimka maxkamada degmada. Waxaa laga yaabaa inaad keenin cadeyn cusub oo racfaanka ah haddii aanad marka hore ka helin ogolaansho Maxkamada Racfaanada. Maxkamada Racfaanada guud ahaan ma ogolaato cadeyn cusub.

### **Opinion is Issued/Fikirka ayaa lasoosaarayaa**

The Court of Appeals will issue a written decision, called an “opinion,” within 90 days after the appeal is scheduled for oral argument or non-oral consideration.

Maxkamada Racfaanadu waxay soosaaraysaa go'aan qoraal ah, oo looyaqanao “fikirka”, 90 maalmood gudahood kadib marka laqabtay racfaanka dooda hadalka ah ama Kabaaraan Dagida Hadalka aan ahayn.

If you wish to appeal the Court of Appeals decision, you have 30 days after the opinion is issued to file a *petition for further review (PFR)*, which is a request for the Minnesota Supreme Court to review the Court of Appeals decision. See [Minn. R. Crim. P. 29.04, subd. 2.](#)

Haddii aad doonayso inaad racfaan kaqaadato go'aanka Maxkamada Racfaanka, waxaad haysataa 30 maalmood kadib marka xukunku dhaco si aad ugudbiso *racfaan aad kudalbanayso dib u eegis kale (PFR)*, kaasoo laga codsanaayo Maxkamada Sare ee Minnesota inay dib u eegis kusamayso go'aanka Maxkamada Racfaanka. Kafiiri [Minn. R. Crim. P. 29.04, subd. 2.](#)

**NOTICE OF APPEAL BY DEFENDANT TO COURT OF APPEALS  
OGAYSIISKA RACFAANKA EE UU DIFAACUHU UDIRO MAXKAMADA  
RACFAANKA**

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_  
GOBALKA MINNESOTA  
DEGMADA

DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT  
MAXKAMADA DEGMADA  
DEGMADA GARSOORKA

\_\_\_\_\_,  
Plaintiff/Dacwad oogaha,

**NOTICE OF APPEAL BY  
DEFENDANT TO COURT  
OF APPEALS  
OGAYSIISKA RACFAANKA EE  
UU DIFAACUHU UDIRO  
MAXKAMADA RACFAANKA**

vs./iyo

District Court File No.  
Lambarka Faylka Maxkamada  
Gobalka \_\_\_\_\_

\_\_\_\_\_,  
Defendant/Eedaysane.

Date Judgment, Sentence or  
Order Entered:  
Taariikhda Xukunka, Jumlada ama  
Amarka lagaliyay: \_\_\_\_\_

**TO/KUSOCOTA:**

Clerk of the Appellate Courts  
305 Minnesota Judicial Center  
25 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155

Minnesota Attorney General  
1800 Bremer Tower  
445 Minnesota Street  
St. Paul, MN 55101  
Telephone/Taleefanka: \_\_\_\_\_

PLEASE TAKE NOTICE that the above-named Defendant hereby appeals to the Court of Appeals of the State of Minnesota from the following judgment or orders of the above-named District Court:

FADLAN OGSOONOOW in Eedaysanaha kor magaciisa lagu sheegay uu halkaan racfaan uga diraayo Maxkamadaha Racfaanka ee Gobalka Minnesota uuna racfaan kaqaadanaayo xukunka ama amarada Maxkamada Degmada ee magaceeda kor lagu sheegay:

Order denying in whole or in part a petition for postconviction relief under Minnesota Statutes, Chapter 590, entered on the/Amar lagu diidaayo si guud ama qayb ahaan racfaanka xukunka kadib ee waafaqsan Qawaaniinta Minnesota, Cutubka 590, oo lagalay \_\_\_\_\_ day of/maalinta \_\_\_\_\_, 20\_\_\_\_.

Dated/Kutaariikhaysan: \_\_\_\_\_

(signature/saxiixa)

Name/Magaca: \_\_\_\_\_

Address/Ciwaanka: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

Lambarka Taleefanka.:

(Effective for criminal actions commenced or arrests made after 12 o'clock midnight January 1, 1990.)

(Oo waafaqsan talaabooyinka danbi ee lagalay ama xiritaanada lasameeyay 12 saac oo habaynimo oo gaaw ah janaayo 1, 1990.)



STATE OF MINNESOTA  
IN THE COURT OF APPEALS  
MAXKAMADA RACFAANADA EE GOBALKA  
MINNESOTA

CASE TITLE/CIWAANKA DACWADA:

(The lines below should match the names in the case title on your district court paperwork.)  
(Laymanka hoose waa inay waafaqaan magacyada kujira ciwaanka kiiska ee dukumiintigaaga maxkamada degmada yaala.)

\_\_\_\_\_

COURT OF APPEALS CASE #  
NAMBARKA KIISKA MAXKAMADA  
RACFAANADA \_\_\_\_\_

vs./iyo

STATEMENT OF THE CASE  
OF APPELLANT  
BAYAANKA RACFAAN  
QAADASHADA DACWADA

\_\_\_\_\_

*Additional instructions for completing this form are available at  
<http://mncourts.gov/CourtOfAppeals.aspx#tab0103Resources>.  
Tilmamaha dheeriga ah ee kusaabsan buuxinta foomkaan oo  
faahfaahsan waxaa laga heli karaa  
<http://mncourts.gov/CourtOfAppeals.aspx#tab0103Resources>.*

**1. District court where case originated/Maxkamada degmada ee kiisku kasoo biloowday:**

\_\_\_\_\_ County District Court/Maxkamada Degmada Gobalka  
(county name/magaca degmada)

Name of presiding judge/Magaca xaakimka xukunka qaadaaya: \_\_\_\_\_

**2. Jurisdictional Statement:** Appeal from district court order denying a petition for postconviction relief.

**Bayaanka Xukunka Sharciga:** Racfaanka kadhanka ah amarka maxkamada ee diidaaya racfaanka laga keenay xukunka horay udhacay.

- Statute, rule, or other authority authorizing appeal: [Minn. R. Crim. P. 28.02, subd. 2.](#)  
Qaynuunka, sharciga, ama racfaanka ansixinta kale: [Minn. R. Crim. P. 28.02, subd. 2.](#)
- Date of service of notice of filing of order from which appeal is taken: \_\_\_\_\_  
Taariikhda adeegga ogaysiiska buuxinta amarka kasoo baxa racfaanka waxaa laqaaday
- Authority fixing time limit for filing notice of appeal (specify applicable rule or statute):  
[Minn. Stat. § 590.06.](#)  
Xadiga udagsan waqtiga ansixinta xalinta ee buuxinta ogaysiiska racfaanka (sheeg xeerka ama qaanuunka quseeya): [Minn. Stat. § 590.06.](#)

- d. Date of filing any motion that tolls appeal time: \_\_\_\_\_  
Taariikhda buuxinta soojeedin kasta taasoo lagu kordhinaayo waqtiga racfaanka:
- e. Date of filing of order deciding tolling motion: \_\_\_\_\_  
Taariikhda gudbinta amarka go'aaminta ee kordhinaaya soojeedinta:
- f. Date of service of notice of filing of order deciding tolling motion: \_\_\_\_\_  
Taariikhda gudbinta adeegga ogaysiiska ee gudbinta go'aaminta amarka ee saamaynaaya soojeedinta:

**3. State type of litigation and designate any statutes at issue:**

**Sheeg nooca yaraynta danbiyada qawniin kasta oo arinta laxariira:**

- a. Type of litigation: Criminal; postconviction/Nooca yaraynta: Danbiyada; xukunka kadib
- b. Statute(s) at issue/Qaanuunka (qawaaniinta) xaalada: \_\_\_\_\_

**4. Short description of issues that were raised in the district court, and how the district court judge decided those issues:**

**Qeexitaanka kooban ee xaaladaha laga sheegay maxkamada degmada, iyo sida xaakimka degmadu uu go'aanka uga gaaray arimahaas:**

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**5. Short description of the issues you are raising in this appeal** (Summarize why you are appealing, by describing what you think the district court judge did wrong in 1-2 sentences. You can make a detailed argument in the brief that you will be filing later):

**Sharaxada kooban oo kusaabsan arimaha aad kusheegayso racfaankaana** (soo koob sababta aad racfaanka uqaadanayso, adoo qeexaaya waxa aad isleedahay maxkamada degmadadu way qaladay kuna sheeg 1-2 jumladood. Waxaad qori kartaa doodaada oo faahfahsan si kooban adoo sheegaaya inaad hadhoow dacwada soo gudbinayso):

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**6. Related appeals/Racfaanada la xiriiro:**

- a. List any prior or pending appeals arising from the same district court case as this appeal (write appeal numbers, or write "none"):  
Qor racfaano walboo hore ama la sugayo ee ka imaanayo isla dacwada maxkamada degmada ee racfaankaan (qor lambarada racfaanka, ama qor "none"):

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- b. List any pending appeals arising from different district court cases that raise similar issues to this appeal (write appeal numbers, or write "none known"):  
Qor racfaano walboo dhiman ee ka imaanayo dacwadaha maxkamada degmada kala duwan ee sheegta isla arimaha racfaankaan (qor lambarada racfaanka, ama qor "none known"):

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**7. Contents of record/Tusmooyinka diiwaanka:**

- a. Is a transcript necessary to review the issues on appeal?  
Qoraalka ma u muhiim ayaa eegida arimaha racfaanka?  Yes/Haa  No/Maya
- b. If yes, is it a full transcript of the hearing(s) before the district court judge or housing court referee, or a partial transcript?  
Haddii ay haa tahay, ma qoraal buuxaa oo dhageysiga ahbaa (dhageysiyada) garsooraha maxkamada degmada hortiisa ama xaaakinka maxkamada, ama qoraal qeyb ahaan ah?  
 Full transcript/Qoraal buuxo  
 Partial transcript/Qoraal qeyb ahaan
- c. Has the transcript already been delivered to the parties and filed with the district court administrator?  
Miyaa horay loo gaarsiiyay qoraalka dhinacyada oo lagu xareeyay maamulka maxkamada degmada?  Yes/Haa  No/Maya
- d. If not, has it been ordered from the court reporter?  
Haddii ay mayay tahay, miyaa laga amray wargeliyaha maxkamada?  
 Yes/Haa  No/Maya
- e. If a transcript is unavailable, is a statement of the proceedings under [Minn. R. Civ. App. P. 110.03](#) necessary?  
Haddii aan qoraalka laheli karin, waa bayaanka dacwadaha oo kucad [Minn. R. Civ. App. P. 110.03](#) muhiim miyaa?  
 Yes/Haa  No/Maya
- f. In lieu of the record as defined in [Minn. R. Civ. App. P. 110.01](#), have the parties agreed to prepare a statement of the record pursuant to [Minn. R. Civ. App. P. 110.04](#)?  
Badalka diiwaanka kuqeexan [Minn. R. Civ. App. P. 110.01](#), dhinacyadu makuheshiiyen inay udiyaar garoobaan bayaanka diiwaanka ee waafaqsan [Minn. R. Civ. App. P. 110.04](#)?  
 Yes/Haa  No/Maya

**8. Oral argument** (Only attorneys can make oral argument. If you do not have an attorney, neither you nor respondents will have oral argument):

**Dooda afka ah** (Kaliya qareenada ayaa samayn kara dooda afka ah. Haddii aadan laheyn qareen, adiga ama eedeysanaha midkiina dood afka ah la idinka dhagaysan):

- a. If you have an attorney, is oral argument requested?  
Haddii aad qareen leedahay, ma dood afka ah ayaad codsatay?  
 Yes/Haa  No/Maya  
 I do not have an attorney  
Ma lihi qareen
- b. If yes, where is oral argument requested:  
Haddii ay haa tahay, halkee laga codsaday dood afka ah:  
 Minnesota Judicial Center in St. Paul/Xarunta Garsoorka Minnesota ee St. Paul  
 Other/Wax kale: \_\_\_\_\_

9. **Type of brief to be filed** (choose one, the type that you plan to file):

**Nooca macluumaadka kooban ee la buuxinayo** (dooro hal, nooca aad qorsheyneysid inaad xareysid):

- Formal brief under [Minn. R. Civ. App. P.128.02](#)

Dacwada kooban ee rasmiga ah ee kuqeexan [Minn. R. Civ. App. P.128.02](#)

*(A formal brief includes a table of contents, a statement of the legal issues, a statement of the case and the facts, an argument, a conclusion, and an addendum.\* A formal brief must be bound in a specific way, and can't just be stapled. A list of approved binding methods under [Minn. R. Civ. App. P. 132.01](#) is available at <http://mncourts.gov/Clerk-of-Appellate-Courts.aspx#ApprovedBriefBindingMethods>.)*

*(Warbixinta kooban ee rasmiga ah waxaa ku jiro tusmooyinka jadwalka, bayaanka arimaha sharciga, bayaanka dacwada iyo xaqiiqaha, dooda, gabagabada, iyo dheeraadka.\* Macluumaadka rasmiga ah ee kooban waa inuu ahaadaa mid si gaar ah udiyaarsan, mana noqon karo wax kaliya biinad lagu dhajiyay. Liiska qaababka la ansixisay oo sharci ah oo waafaqsan [Minn. R. Civ. App. P. 132.01](#) waxaa laga heli karaa <http://mncourts.gov/Clerk-of-Appellate-Courts.aspx#ApprovedBriefBindingMethods>.)*

- Informal brief under [Minn. R. Civ. App. P. 128.01, subd. 1.](#)

Dacwad kooban oo aan rasmi ahaydsida kucad [Minn. R. Civ. App. P. 128.01, subd. 1.](#)

*(Before filing an informal brief, you must file a motion requesting permission to do so. An informal brief contains a concise statement of your argument and an addendum.\* It may be stapled.)*

*(Kahor intaan kiis kooban oo rasmi ah aadan gudbin, waa inaad gudbisaa soojeedin aad kucodsanayso in lagu fasaxo buuxinta kiiska. Warbixinta kooban ee aan rasmiga aheyn waxay wadataa bayaan qeexan oo dooda iyo qoraalka dheeraad ah.\* Waxaa la iskula dhajin karaa biingad.)*

- Trial memoranda, supplemented by a short letter argument under [Minn. R. Civ. App. P. 128.01, subd. 2.](#), and an addendum.

Dacwada Kooban, oo ay lasocoto waraaq gaaban oo dooda qeexaysa sida kucad [Minn. R. Civ. App. P. 128.01, subd. 2.](#), sharaxaad dheeri ah.

*(If you filed a written Memorandum of Law in the district court, you may file that Memorandum as your brief, along with a short argument in letter format that addresses the district court judge's decision. This may be stapled and must include an addendum.\*)*

*(Haddii aad xareysay Qoraalka Sharciga maxkamada degmada, waxaad u xareyn kartaa Qoraalkaas isaga oo kooban, oo ay ku jiraan dood gaaban oo warqad ah sheegaysa go'aanka garsoorka maxkamada degmada. Tan waxaa laga yaabaa in la shaambadeeyo oo lagu dhajiyo qoraalka.\*)*

*\* No matter what type of brief you file, your brief must include an addendum. See [Minn. R. Civ. App. P. 128.02 and 130.02](#). Your addendum may also contain up to 50 additional pages of documents from the record or statutes, rules, cases or other authorities that would be helpful to the court when reading your brief. However, you cannot include any new evidence that was not presented to the district court judge.*

*\* Ayadoon laga egayn nooca dacwada kooban ee aad gudbiso, dacwadaada kooban waa inay wadataa sharaxaad dheeri ah. Kafii [Minn. R. Civ. App. P. 128.02 iyo 130.02](#). Qoraalkaaga wuxuu sidoo kale wadan karaa illaa 50 bogg oo dheeraad ah oo waraaqaha diiwaanka ama qaynuunada, sharciyada, dacwadaha ama maamulada kale oo gacan siinaya maxkamada markii aad aqrineysid warbixinta kooban. Laakiin, kuma dari kartid wax cadeyn cusub oo aan loosoo bandhigin garsooraha maxkamada degmada.*

**10. Names, addresses, and telephone numbers of appellant and respondent**

**(or attorneys, if any):**

**Magacyada, ciwaanada, iyo nambarada taleefanada racfaan qaataha iyo eedayanaha (ama qareenada, haday jiraan):**

Appellant or appellant's attorney/Racfaan qaadataha ama qareenka racfaan qaadataha:

Print name/Magaca daabacan: \_\_\_\_\_

Address/Ciwaanka: \_\_\_\_\_

Email address/Ciwaanka iimeelka: \_\_\_\_\_

Telephone/Taleefonka: \_\_\_\_\_

Signature/Saxiixa: \_\_\_\_\_

Respondent or respondent's attorney/Eedeysanaha ama qareenka eedeysanaha:

Print name/Magaca daabacan: \_\_\_\_\_

Address/Ciwaanka: \_\_\_\_\_

Email address/Ciwaanka iimeelka: \_\_\_\_\_

Telephone/Taleefonka: \_\_\_\_\_

(The Statement of Case is not a jurisdictional document, but it is important to the proper and efficient processing of the appeal by the appellate courts. The "jurisdictional statement" section is intended to provide sufficient information for the appellate court to easily determine whether the order or judgment is appealable and if the appeal is timely. The nature of the proceedings below and the notice of appeal determine the jurisdiction of the appellate court. The sections requesting information about the issues litigated in the lower court or tribunal, and the issues proposed to be raised on appeal are for the court's information, and do not expand or limit the issues that might be addressed on appeal. Likewise, the section asking counsel to identify and prior or pending appeals from the same case, and any separate appeals that raise similar issues is intended to provide more information about the procedural history of the case and to ensure that the court has early notice of other pending related matters in case consolidation is appropriate.)

(Bayaanka Kiisku maaha dukumiinti xukun, laakiin wuxuu muhiim u yahay socodsiiinta quman ee waxtarka ah ee dacwada racfaanka oo ay qaadayaan maxkamadaha racfaanka. Qaybta "bayaanka xukunka sharciga" ayaa loogu talagalay inaad macluumaad kufilan kasiiso maxkamada racfanka si ay qaab fudud ugu go'aamiso in amarka ama xukunku yahay mid racfaan laga qaadan karo iyo hadii racfaanku yahay mid waqtigii larabay soo baxay. Nooca dacwadaha hoose iyo ogaysiiska racfaanka ayaa go'aaminaaya xukunka maxkamada racfaanka. Qaybaha codsanaaya macluumaadka kusaabsan arimaha lagu dhimay maxkamada hoose ama dacwada, iyo arimaha lasoo jeediyay in looga hadlo racfaanka ayaa ah macluumaadka maxkamada, mana kordhinayaan ama xadidaya arimaha looga hadli karo racfaanka. Si taas lamid ah, qaybta codsanaysa talo lagu aqoonsanaayo iyo racfaanada hore ama wali aan lafurin ee laxariira isla kiiska, iyo racfaano kasta oo gaar ah kuwaasoo kashaha isla arimo kuwaas lamid ah waxaa loogu talagalay in macluumaad dheeri ah looga baxsho taariikhda hanaanka kiiska iyo in lagu xaqiijiyo in maxkamadu ay haysato ogaysiiska arimaha kale ee aa wali laha hadlin oo laxariira kiiska ay saxan yihiin.)

THIS FORM MUST BE COMPLETED IN ENGLISH  
FOOMKAAN WAA IN LAGU BUUXIYAA INGIIRIS

STATE OF MINNESOTA  
IN THE COURT OF APPEALS  
MAXKAMADA RACFAANADA EE GOBALKA  
MINNESOTA

CASE TITLE/CIWAANKA DACWADA:

(The lines below should match the names in the  
case title on your district court paperwork.)  
(Laymanka hoose waa inay waafaqaan magacyada kujira  
ciwaanka kiiska ee dukumiintigaaga maxkamada degmada yaala.)

\_\_\_\_\_

vs./iyo

\_\_\_\_\_

COURT OF APPEALS CASE #  
NAMBARKA KIISKA MAXKAMADA  
RACFAANADA\_\_\_\_\_

APPELLANT'S CERTIFICATE OF  
SERVICE BY MAIL OF  
NOTICE OF APPEAL AND  
STATEMENT OF THE CASE  
SHAHAADADA RACFAAN QAATAHA  
EE OGAYSIISKA RACFAANKA IYO  
BAYAANKA KIISKA

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_  
GOBALKA MINNESOTA  
DEGMADA

I/Anigga oo ah, \_\_\_\_\_(Name/Magaca), certify that on/waxaan  
xaqiijinayaa in markay ahayd \_\_\_\_\_(Date/Taariikhda), I served the  
attached **Notice of Appeal, Statement of the Case, and Judgment** on the following parties by  
mailing to each of them a copy thereof, enclosed in an envelope, postage pre-paid, and by  
depositing the same in the United States Mail, directed to each party as follows (**List the name  
and address of each party to whom the documents were mailed**):/aan soo gudbiyay  
**Ogaysiiska Racfaanka, Bayaanka Kiiska, iyo Xukunka** ee lifaaqa kujira aana udiray  
dhinacyada soosocda uguna diray boostada qofkasta koobi, kaasoo kujira boqshad xiran, oo aan  
kdiray boosto aan qarashkeeda horay udhibay, aana isla dukumiintiyadaas kudiray Boostada  
Maraykanka, anoo ugu diray dhinac kasta sidaan sosocota (**Qor magaca iyo ciwaanka qolo  
kasta ood boostada udhigta dukumiintiga**):

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I declare under penalty of perjury that everything I have stated in this document is true and correct.

Waxaan shaacinayaa anoo og inay jirto ciqaab kadhalaan karta beenta in wax kasta oon kusheegay dukumiintigaan ay yihiin kuwo run ah oo saxan.

\_\_\_\_\_  
(Signature/Saxiixa)

\_\_\_\_\_  
(County where certificate was signed/  
Degmada lagu saxiixay shahaadada)

\_\_\_\_\_  
(Date of signature/Taariikhda saxiixa)

\_\_\_\_\_  
(State where certificate was signed/  
Gobalka lagu saxiixay shahaadada)

THIS FORM MUST BE COMPLETED IN ENGLISH  
FOOMKAAN WAA IN LAGU BUUXIYAA INGIRIIS

STATE OF MINNESOTA  
IN THE COURT OF APPEALS  
MAXKAMADA RACFAANADA EE GOBALKA  
MINNESOTA

CASE TITLE/CIWAANKA DACWADA:

(The lines below should match the names in the case title on your district court paperwork.)  
(Laymanka hoose waa inay waafaqaan magacyada kujira ciwaanka kiiska ee dukumiintigaaga maxkamada degmada yaala.)

\_\_\_\_\_

vs./iyo

\_\_\_\_\_

COURT OF APPEALS CASE #  
NAMBARKA KIISKA MAXKAMADA  
RACFAANADA \_\_\_\_\_

APPELLANT'S CERTIFICATE OF  
SERVICE BY MAIL OF BRIEF  
SHAHAADADA ADEEGGA EE  
RACFAAN QAATUHU KUDIRAY  
BOOSTADA DACWADA KOOBAN

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_  
GOBALKA MINNESOTA  
DEGMADA

I/Anigga oo ah, \_\_\_\_\_ (Name/Magaca), certify that on/waxaan xaqiijinayaa in markay ahayd \_\_\_\_\_ (Date/Taariikhda), I served the attached **Brief** on the following parties by mailing to each of them a copy thereof, enclosed in an envelope, postage pre-paid, and by depositing the same in the United States Mail, directed to each party as follows (**List the name and address of each party to whom the brief was mailed**):/aan soo gudbiyay **Dacwada kooban** ee lifaaqa kujirta aana udiray dhinacyada soosocda uguna diray boostada qofkasta koobi, kaasoo kujira boqshad xiran, oo an kdiray boosto aan qarashkeeda horay udhibay, aana isla dukumiintiyadaas kudiray Boostada Maraykanka, anoo ugu diray dhinac kasta sidan sosocota (**Qor magaca iyo ciwaanka qolo kasta ood boostada udhigta dacwada kooban**):



1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I declare under penalty of perjury that everything I have stated in this document is true and correct.

Waxaan shaacinayaa anoo og inay jirto ciqaab kadhalaan karta beenta in wax kasta oon kusheegay dukumiintigaan ay yihiin kuwo run ah oo saxan.

\_\_\_\_\_  
(Signature/Saxiixa)

\_\_\_\_\_  
(County where certificate was signed/  
Degmada lagu saxiixay shahaadada)

\_\_\_\_\_  
(Date of signature/Taariikhda saxiixa)

\_\_\_\_\_  
(State where certificate was signed/  
Gobalka lagu saxiixay shahaadada)