

**STATE OF MINNESOTA  
IN THE COURT OF APPEALS**

CASE TITLE:

\_\_\_\_\_

vs.

\_\_\_\_\_

**STATEMENT OF THE CASE  
OF APPELLANT**

(Revised April 16, 2019)

**Appellate Case #** \_\_\_\_\_

**District Court or Agency Case #**  
\_\_\_\_\_

*This form is provided for the benefit of self-represented litigants, and conforms to the Statement of the Case form required by Rule 133.03 of the Minnesota Rules of Civil Appellate Procedure and to Form 133, found at the end of the Minnesota Rules of Civil Appellate Procedure. Some questions on this form may require you to complete some basic legal research about your appeal before you can complete them. Instructions for completing this form are available at <https://mncourts.gov/CourtOfAppeals.aspx#Tab08Resources>.*

1. **District court or agency where case originated:** \_\_\_\_\_

Name of presiding judge or hearing officer: \_\_\_\_\_

2. **Jurisdictional statement**

**a. If this is an appeal from the district court, answer the following questions:**

1. The statute, rule, or other authority authorizing appeal: \_\_\_\_\_

2. Date judgment was entered, or date of service of notice of filing of order from which appeal is taken: \_\_\_\_\_

3. Rule or statute setting time limit for notice of appeal: \_\_\_\_\_

4. Date of filing of motion that tolls appeal time: \_\_\_\_\_

5. If there was a motion that tolls appeal time:

a. Date of filing of order deciding tolling motion and date of service of notice of filing: \_\_\_\_\_

b. Date of service of notice of filing of order deciding tolling motion: \_\_\_\_\_

**b. If this is a certiorari appeal, answer the following questions:**

1. Statute, rule, or other authority authorizing certiorari appeal:

\_\_\_\_\_

2. Authority fixing time limit (statutory section) and date of event triggering appeal time (mailing of decision, receipt of decision, or receipt of other notice): \_\_\_\_\_

**c. For other appellate proceedings, answer the following questions:**

1. Statute, rule, or other authority for appellate proceeding: \_\_\_\_\_

2. Authority fixing time limit (statutory section) and date of event triggering appeal time (mailing of decision, receipt of decision, or receipt of other notice): \_\_\_\_\_

**d. Finality of order or judgment:**

1. Does the judgment or order to be reviewed dispose of all claims by and against all parties, including attorney fees?  Yes  No

2. If no, did the district court order entry of a final partial judgment for immediate appeal pursuant to Minn. R. Civ. App. P. 104.01?

Yes  No

i. If yes, give date of order: \_\_\_\_\_

ii. If no, is the order or judgment appealed from reviewable under an exception to the finality rule?  Yes  No

If yes, cite the rule, statute, or other authority authorizing appeal \_\_\_\_\_

3. For criminal appeals only:

Has sentence been imposed or imposition of sentence stayed?  Yes  No

If not, cite the name and number of the statute or rule authorizing interlocutory appeal: \_\_\_\_\_

**3. Type of litigation and any statutes at issue:**

\_\_\_\_\_  
\_\_\_\_\_

**4. Brief description of issues that were raised in the district court or agency, and how the district court judge or agency decided those issues (for criminal appeals, specify whether conviction was for a felony, gross misdemeanor, or a misdemeanor): \_\_\_\_\_**

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5. **Short description of issues you are raising in this appeal** (one or two sentences; you may make a more detailed argument in the brief you will be filing later):

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6. **Related appeals:**

- a. List any prior or pending appeals arising from the same district court case as this appeal (write appeal numbers, or “none”): \_\_\_\_\_
- b. List any pending appeals arising from different district court cases that raise similar issues to this appeal (write appeal numbers, or “none known”): \_\_\_\_\_

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7. **Contents of record:**

- a. Is a transcript necessary to review the issues on appeal?     Yes         No
- 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?  
 Full transcript         Partial transcript
- c. Has the transcript already been delivered to the parties and filed with the district court administrator?         Yes         No
- d. If not, has it been ordered from the court reporter?         Yes         No
- e. If a transcript is unavailable, is a statement of the proceedings under Minnesota Rules of Civil Appellate Procedure 110.03 necessary?     Yes         No
- f. In lieu of the record as defined in Minnesota Rules of Civil Appellate Procedure 110.01, have the parties agreed to prepare a statement of the record pursuant to Minnesota Rules of Civil Appellate Procedure 110.04?     Yes         No

8. **Oral argument**

- a. If you have an attorney, is oral argument requested?  
 Yes  No  
 I do not have an attorney

b. If yes, where is oral argument requested:

Minnesota Judicial Center in St. Paul

Other: \_\_\_\_\_

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

Formal brief under [Rule 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>.)*

Informal brief under [Rule 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.)*

Trial memoranda, supplemented by a short letter argument under [Rule 128.01, subd. 2](#), and an addendum.

*(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.\*)*

*\* 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 only required for appellant's brief). The requirements for your addendum are listed in [Minn. R. Civ. App. P. 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.***

10. **Names, addresses, and telephone numbers of appellant and respondents (or attorneys, if any):**

Appellant or appellant's attorney:

Print name: \_\_\_\_\_

Address: \_\_\_\_\_

Email address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Signature: \_\_\_\_\_

Respondent or respondent's attorney:

Print name: \_\_\_\_\_

Address: \_\_\_\_\_

Email address: \_\_\_\_\_

Telephone: \_\_\_\_\_