

STATE OF MINNESOTA
IN THE COURT OF APPEALS

XEEV MINNESOTA COV TSEV
HAIS PLAUB TXIAV TXIM DUA

CASE TITLE:

(The lines below should match the names in the
case title on your district court paperwork.)

NPE ROOJ PLAUB:

(Cov kab nram no yuav tsum phim rau cov npe
rooj plaub hauv koj cheeb tsam tsev hais plaub cov
ntaub ntauv.)

STATEMENT OF THE CASE
OF APPELLANT

NQE LUS TEEV ROOJ PLAUB NTAWM
NEEG THOV KEV TXIAV TXIM DUA

vs./thiab

District Court or
Agency Case #

Cheeb Tsam Tsev Hais Plaub
los yog Koom Haum Rooj Plaub

Appellate Case/
Rooj Plaub Txiaiv Txim Dua #A _____ - _____
(If known) (Yog tias paub)

This form is provided for the benefit of self-represented litigants, and conforms to the Statement of the Case form provided in Rule 133 of the Minnesota Rules of Civil Appellate Procedure. Some questions 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 <http://mncourts.gov/CourtOfAppeals.aspx#tab0103Resources>.

Tsab ntauv no yog muab rau cov neeg sawv cev tam tus kheej sib hais plaub, thiab yeej haum raws li tsab Nqe Lus Teev Rooj Plaub uas muaj ntawm Txoj Cai 133 hauv Minnesota Cov Cai Hais Txheej Txheem Kev Txiaiv Txim Dua rau Laj Mej Pej Xeem. Tej zaum koj yuav tau tshawb fawb txog kev cai txiaiv txim dua ua ntej koj yuav teb tau qee cov nqe lus nug kom tiav. Cov lus qhia teb tsab ntauv no muaj nyob ntawm <http://mncourts.gov/CourtOfAppeals.aspx#tab0103Resources>.

1. **District court or agency where case originated:** _____
(Cheeb tsam tsev hais plaub los yog lub koom haum uas rooj plaub sawv tshwm rau)

Name of presiding judge or hearing officer: _____
(Tus kws phua txim los yog tus kws mloog plaub ntug)

2. **Jurisdictional statement (Nqe lus teev hom plaub ntug)**

- a. **If this is an appeal from the district court, answer the following questions (Yog tias nws yog kev txiav txim dua los ntawm cheeb tsam tsev hais plaub, teb cov nqe lus nug nram no):**

1. The statute, rule, or other authority authorizing appeal: _____
(Txoj cai lij choj, kev cai los yog lwm txoj cai tso kev txiav txim dua)
2. Date judgment was entered, or date of service of notice of filing of order from which appeal is taken: _____
(Hnub txiav txim, los yog hnub txais ntawv faj seeb txog kev txiav txim dua)
3. Rule or statute setting time limit for notice of appeal: _____
(Kev cai los yog txoj cai lij choj uas teev sij hawm rau tsab ntawv faj seeb txog kev txiav txim dua)
4. Date of filing of motion that tolls appeal time: _____
(Hnub ua ntawv thov ncua sij hawm kev txiav txim dua)
5. If there was a motion that tolls appeal time:
Yog tias muaj ib yam kev thov kom ncua sij hawm kev txiav txim dua:
 - a. Date of filing of order deciding tolling motion and date of service of notice of filing: _____
(Hnub ua ntawv thov ncua sij hawm thiab hnub xa tsab ntawv faj seeb txog kev ua ntawv thov)
 - b. Date of service of notice of filing of order deciding tolling motion: _____
(Hnub xa tsab ntawv faj seeb txog kev thov ncua sij hawm)

- b. **If this is a certiorari appeal, answer the following questions (Yog tias muaj ntawv sau thov txiav txim dua, teb cov nqe lus nug nram no):**

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

(Txoj cai lij choj, kev cai los yog lwm txoj cai tso kev sau ntawv thov kev txiav txim dua)

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): _____

(Muaj cai kho kev txwv sij hawm (ntu cai lij choj) thiab hnuv muaj qhov xwm ua kom tau sij hawm txiav txim dua (kev xa ntawv txiav txim, kev txais tau tsab ntawv txiav txim, los yog kev txais tau lwm cov ntawv faj seeb))

c. For other appellate proceedings, answer the following questions (Rau lwm cov txheej txheem kev txiav txim dua, teb cov nqe lus nug nram no):

1. Statute, rule, or other authority for appellate proceeding: _____
(Txoj cai lij choj, kev cai los yog lwm txoj cai tso kev rau cov txheej txheem kev txiav txim dua)

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): _____

(Muaj cai kho kev txwv sij hawm (ntu cai lij choj) thiab hnuv muaj qhov xwm ua kom tau sij hawm txiav txim dua (kev xa ntawv txiav txim, kev txais tau tsab ntawv txiav txim, los yog kev txais tau lwm cov ntawv faj seeb))

d. Finality of order or judgment (Kev xaus lus txib los yog lus txiav txim):

1. Does the judgment or order to be reviewed dispose of all claims by and against all parties, including attorney fees? Yes/Tau No/Tsis tau
(Puas tau tshab xyuas cov lus txiav txim los yog lus txib kom pov tseg tau tag nrho cov nuj nqis los ntawm thiab rau tag nrho cov tog neeg, nrog rau cov nqi ntiav kws lij choj?)

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/Tau No/Tsis tau

(Yog tsis tau, lub cheeb tsam tsev hais plaub puas tau muab cov lus txiav txim kawg kiag rau ib tog teev tseg kom txiav txim dua tau tam sis raws Minn. R. Civ. App. P. 104.01?)

- i. If yes, give date of order: _____
(Yog tau, qhia hnuv txib)

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

(Yog tsis tau, puas tshab xyuas tau cov lus txib los yog lus txiav txim dua raws li kev cai txiav txim kawg kiag?)

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

(Txoj cai lij choj, kev cai los yog lwm txoj cai tso kev txiav txim dua)

3. For criminal appeals only (Cov kev txiav txim dua rau neeg ua txhaum cai xwb):

Has sentence been imposed or imposition of sentence stayed?

Puas tau phua txim los yog puas tau phua txim tsis muab kaw?

Yes/Tau No/Tsis tau

If not, cite the name and number of the statute or rule authorizing interlocutory appeal (Yog tsis tau, qhia lub npe thiab tus zauv ntawm txoj cai lij choj los yog kev cai tso kev txiav txim dua txuam nrog lwm cov kev txiav txim): _____

3. **Type of litigation and any statutes at issue (Hom kev hais plaub ntug thiab tej txoj cai lij choj ntawm qhov teeb meem):**

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) (Lus piav qhia me ntsis txog cov teeb meem uas hais hauv cheeb tsam tsev hais plaub los yog koom haum, thiab seb cheeb tsam tsev hais plaub tus kws phua txim yog lub koom haum txiav txim li cas rau cov teeb meem (rau cov kev txiav txim dua rau neeg txhaum cai, qhia tseeb seb lub txim phua puas yog lub txim loj felony, lub txim nrab gross misdemeanor, los yog lub txim me misdemeanor)):** _____

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) **Piav qhia me ntsis txog cov teeb meem uas koj xav hais hauv txoj kev txiav txim dua no** (sau ib los yog ob kab lus; koj sau tau lus sib cam ntxaws dua thaum koj ua tsab ntawv xa thov tom qab):**

6. **Related appeals (Cov kev txiav txim dua uas zoo xws li):**

- a. List any prior or pending appeals arising from the same district court case as this appeal (write appeal numbers, or “none”) (Teev qhia cov kev txiav txim dua dhau los, los sis cov yuav txiav txim dua tom ntej uas tshwm sim los ntawm tib rooj hauv lub cheeb tsam tsev hais plaub li txoj kev txiav txim dua no (sau cov zauv cim, los yog sau "tsis muaj"): _____
- b. List any pending appeals arising from different district court cases that raise similar issues to this appeal (write appeal numbers, or “none known”) (Teev qhia cov yuav txiav txim dua tom ntej uas tshwm sim os ntawm cov rooj plaub sib txawv hauv cheeb tsam tsev hais plaub uas tsim muaj cov teeb meem zoo sib xws li txoj kev txiav txim dua no (sau zov zauv cim, los yog sau “tsis muaj tsis paub”): _____

7. **Contents of record (Cov ntaub ntawv khaws cia):**

- a. Is a transcript necessary to review the issues on appeal? Puas tsim nyog muaj daim ntawv teev rooj sib hais rau kev tshab xyuas cov teeb meem ntawm txoj kev txiav txim dua?) Yes/Tsim nyog No/nyog
- 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? (Yog tias tsim nyog, ua daim ntawv teev (cov) rooj sib hais puas txhij txhua los yog ib feem xwb rau cheeb tsam tsev hais plaub tus kws phua txim los yog tsev hais plaub tus neeg hais txim?) Full transcript (Ntawv teev rooj sib hais txhij txhua) Partial transcript (Ib feem ntawv teev rooj sib hais)
- c. Has the transcript already been delivered to the parties and filed with the district court administrator? (Puas tau muab daim ntawv teev rooj sib hais xa rau cov tog neeg thiab xa rau hauv cheeb tsam tsev hais plaub tus neeg lis ntaub ntawv?) Yes/Tau No/Tsis tau
- d. If not, has it been ordered from the court reporter? (Yog tsis tau, puas tau hais mus rau tus neeg sau lus rooj sib hais hauv tsev hais plaub kom nws muab xa tuaj?) Yes/Tau No/Tsis tau
- e. If a transcript is unavailable, is a statement of the proceedings under Minnesota Rules of Civil Appellate Procedure 110.03 necessary? (Yog tsis muaj daim ntawv teev rooj sib hais, puas tsim nyog muaj nqe lus teev txog cov txheej txheem sib hais raws li Minnesota Cov Cai Hais Txheej Txheem Kev Txiaiv Txim Dua rau Laj Mej Pej Xeem 110.03?) Yes/Muaj No/Tsis muaj

- 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? (Kom hloov chaw rau ntaub ntawv teev raws li txhais los ntawm Minnesota Cov Cai Hais Txheej Txheem Kev Txiaiv Txim Dua rau Laj Mej Pej Xeem 110.01, cov tog neeg puas pom zoo los npaj nqe lus teev ntaub ntawv raws li Minnesota Cov Cai Hais Txheej Txheem Kev Txiaiv Txim Dua rau Laj Mej Pej Xeem 110.04?)
 Yes/Pom zoo No/Tsis pom zoo

8. **Oral argument (Hais lus sib cam)**

- a. If you have an attorney, is oral argument requested? (Yog tias koj muaj ib tug kws lij choj, puas tau thov kev hais lus sib cam?)
 Yes/Tau No/Tsis tau
 I do not have an attorney (Kuv tsis muaj ib tug kws lij choj)
- b. If yes, where is oral argument requested (Yog tias tau, thov kev hais lus sib cam qhov twg):
 Minnesota Judicial Center in St. Paul
(Minnesota Judicial Center hauv St. Paul)
 Other (Lwm qhov chaw): _____

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

Hom lus meej xav zwm (xaiv ib hom, hom uas koj npaj xav zwm):

- Formal brief under Rule 128.02 (Lus meej raws kev raws cai li Txoj Cai 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](http://mncourts.gov/Clerk-of-Appellate-Courts.aspx#ApprovedBriefBindingMethods) is available at <http://mncourts.gov/Clerk-of-Appellate-Courts.aspx#ApprovedBriefBindingMethods>.)*

(Qhov lus meej raws kev raws cai muaj cov sob teem, nqe lus teev cov teeb meem raws kev cai lij choj, nqe lus teev rooj plaub thiab cov ntsiab lus tseeb, nqe lus sib cam, nqe lus xaus thiab ntaub ntawv rhais txhawb nrog. Muaj ib txoj kev tom cov lus meej raws kev raws cai, tsis yog cia li muab sib tom ua ke xwb. Cov hom kev tom ntaub ntawv uas pom zoo raws [Minn. R. Civ. App. P. 132.01](http://mncourts.gov/Clerk-of-Appellate-Courts.aspx#ApprovedBriefBindingMethods) muaj nyob ntawm <http://mncourts.gov/Clerk-of-Appellate-Courts.aspx#ApprovedBriefBindingMethods>.)*

- Informal brief under Rule 128.01, subd. 1. (Lus meej tsis raws kev raws cai li Txoj Cai 128.01, them nqe lus 1.)

(An informal brief contains a concise statement of your argument and an addendum. It may be stapled.)*

((Qhov lus meej tsis raws kev raws cai muaj koj nqe lus sib cam tshab thiab ntaub ntawv rhais txhawb nrog. Muab nws sib tom ua ke tau.))*

- Trial memoranda, supplemented by a short letter argument under Rule 128.01, subd. 2, and an addendum. (Lus txhawb kev sib foob, txhawb nrog ib tsab ntawv sau sib cam luv luv li Txoj Cai 128.01, them nqe lus 2, thiab ntaub ntawv rhais txhawb nrog.)

(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.)*

((Yog tias koj zwm muaj Lus Txhawb Cai hauv cheeb tsam tsev hais plaub, koj zwm tau Lus Txhawb uas koj qhov lus meej, nrog rau ib tsab ntawv sau sib cam luv luv uas hais txog cheeb tsam tus kws phua txim txoj kev txiav txim. Cov no muab sib tom tau thiab yuav tsum muaj ntaub ntawv rhais txhawb nrog.)*

** 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.***

** Tsis hais koj zwm hom lus meej twg, tus neeg thov kev txiav txim dua qhov lus meej yuav tsum muaj cov ntaub ntawv rhais txhawb nrog (tus neeg teb plaub foob yeej muaj tau ntaub ntawv rhais txhawb nrog lawv qhov lus meej, tiam sis tus neg thov kev txiav txim dua yuav tsum muaj ntaub ntawv rhais txhawb nrog nws qhov lus meej). Cov yuav tsum muaj nyob rau hauv koj cov ntaub ntawv rhais txhawb nrog teev muaj rau ntawm [Minn. R. Civ. App. P. 130.02](#). Koj cov ntaub ntawv rhais txhawb nrog puav leej muaj tau txog 50 nplooj ntawv ntxiv los ntawm cov ntaub ntawv teev cia los yog cov cai lij choj, cov kev cai, los yog lwm cov kws muaj cai uas yuav pab tau lub tsev hais plaub thaum lawv nyeem koj cov lus meej. Tiam sis, **koj muab ntxiv tsis tau tej pov thawj tshiab uas tsis tau muab nthuav qhia rau cheeb tsam tsev hais plaub tus kws phua txim.***

10. Names, addresses, and telephone numbers of appellant and respondents (or attorneys, if any) (Cov npe, chaw nyob, thiab xov tooj rau tus neeg thov kev txiav txim dua thiab cov neeg teb plaub foob (los yog cov kws lij choj, yog muaj)):

Appellant or appellant’s attorney (Neeg thov kev txiav txim dua los yog neeg thov kev txiav txim dua tus kws lij choj):

Print name (Sau lub npe): _____

Address (Chaw nyob): _____

Email address (Chaw sau ntawv Email): _____

Telephone (Xov tooj): _____

Signature (Kos npe): _____

Respondent or respondent’s attorney (Neeg teb plaub foob los yog neeg teb plaub foob tus kws lij choj):

Print name (Sau lub npe): _____

Address (Chaw nyob): _____

Email address (Chaw sau ntawv Email): _____

Telephone (Xov tooj): _____