

## APPEAL TO THE CROWN COURT FROM A MAGISTRATES' COURT

(Criminal Procedure Rules, rule 34.3)

Use this form **ONLY** for an appeal to the Crown Court under CrimPR Part 34 about a conviction, sentence or order in a criminal case. There is a different form for applying or appealing to the Crown Court after a magistrates' court has made a decision about bail, under CrimPR 14.8. This form is NOT for use in a non-criminal case, e.g. one about licensing.

### Case details

Name of defendant:

Address:

*If the defendant is in custody, give prison and prison number, if known.*

Email address:

Phone:

Mobile:

Appeal from ..... Magistrates' Court

Magistrates' court case reference number:

Appeal to the Crown Court at:

### This is an appeal to the Crown Court about:

Give brief details of the magistrates' court decision about which you are appealing, including the date of that decision (e.g. 'my conviction for [offence] on [date]', or 'my sentence of [penalty] for [offence] on [date]').

**I have asked the magistrates' court to reconsider my case**

Yes  No

You may not need to appeal. Sometimes a magistrates' court can change a decision which it has made, under section 142 of the Magistrates' Courts Act 1980. Ask at the magistrates' court office.

**I need an extension of time for this appeal**

Yes  No

See the time limits listed below. If your appeal is late, you must answer question 1, on the other side of this form. Only the Crown Court can extend the 21 day time limit for appeal.

**1. Complete the boxes above and give the details required in the boxes below.** If you use an electronic version of this form, the boxes will expand<sup>1</sup>. If you use a paper version and need more space, you may attach extra sheets.

**2. Sign and date the completed form.**

**3. Send a copy of the completed form to:**

**(a) the magistrates' court, and**

**(b) the other party to the case** (e.g. the prosecutor, if you are the defendant).

You must send this form so as to reach the recipients **not more than 21 days after:**

- the date you were sentenced or your sentence was deferred (whichever was earlier), if your appeal is against conviction or against a finding of guilt,
- the date you were sentenced, if your appeal is against sentence, or
- in any other case, the date of the order or failure to make an order about which you want to appeal.

<sup>1</sup> Forms for use with the Rules are at: [www.justice.gov.uk/courts/procedure-rules/criminal/formspage](http://www.justice.gov.uk/courts/procedure-rules/criminal/formspage).

**1) Extension of time** (if you need one: see the notes on the front page). **My appeal is late because:**  
Explain why your appeal is late. Attach copies of any letters or other documents you want the court to see.

**2) The issues in this case are:**

Summarise the matters of fact or law, or the reasons for sentence or other order, which are in dispute.

**3) Appeal against conviction: case management in the Crown Court.**

Only answer these questions if you are appealing against conviction or a finding of guilt.

**How long did the trial last in the magistrates' court ?**

**Which of the prosecution witnesses in the magistrates' court do you want to ask questions if they are witnesses again in the Crown Court ?** Name them:

**How long do you expect the appeal to take in the Crown Court ?**

**4) Other applications. I am also applying for:**

**pending my appeal, the suspension of my disqualification e.g. from driving.**

You can ONLY apply for the suspension of a disqualification imposed in this case.

**pending my appeal, bail.**

Give reasons for any application you are making:

**I want my application(s) considered by**

the magistrates' court  the Crown Court

Each court can consider these applications. You can apply to both.

**Signed<sup>2</sup>:** ..... **[defendant / defendant's solicitor]**

**Date:** .....

<sup>2</sup> If you use an electronic version of this form, you may instead authenticate it electronically (e.g. by sending it from an email address recognisable to the recipient). See Criminal Procedure Rules, rule 5.3.