

CITY OF KENOSHA

Plaintiff,

**NOTICE OF RIGHT TO APPEAL**

Citation No. \_\_\_\_\_

Defendant \_\_\_\_\_

**NOTICE OF RIGHT TO APPEAL JUDGMENTS AT TRIAL, MOTIONS TO REOPEN  
(800.115) & POVERTY DETERMINATIONS (814.29(1)(d))**

Both defendants and the city attorney have the right to appeal any of the aforementioned decisions rendered by the Kenosha Municipal Court. To meet the statutory requirements for an appeal to the Kenosha County Circuit Court the following steps must be taken:

**WRITTEN NOTICE**

The party seeking to appeal must give written notice to the Municipal Court and the opposing party within 20 days of the entry of judgment. The municipal judge does not have the authority to extend the deadline for filing a notice of appeal.

You must select one of the following appeal options:

- A) Review of Trial/Hearing Transcript** – A written transcript must be prepared at the expense of the appealing party and this along with any exhibits, documents, or videos that were admitted into evidence at the original trial/hearing will be reviewed by a circuit court judge.
- B) New Bench Trial/Hearing** – This will be before a circuit court judge at the Kenosha County Court House. The judge will decide whether you are guilty or not guilty, reverse or uphold the decision of the Municipal Court regarding a motion to reopen or sustain or reverse a poverty determination made by the Municipal Court.
- C) New Trial Before a Six Person Jury** – This will be a new trial at the Kenosha County Court House before a jury with a circuit court judge presiding. The jury will decide whether you are guilty or not guilty.

I hereby appeal from the judgment of the Kenosha Municipal Court on \_\_\_\_\_. I am including herewith the appellate filing fees appropriate to the type of review or trial I have requested as noted below together with any other required fees (estimated transcript cost):

- 1. \_\_\_\_\_ **Review of Trial/Hearing Transcript - \$139.50 plus estimated cost of the transcript.**
- 2. \_\_\_\_\_ **New Bench Trial/Hearing (without a jury) - \$144.50**
- 3. \_\_\_\_\_ **New Trial Before a Six Person Jury - \$180.50**

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

Date: \_\_\_\_\_

**\*\*\*\*\*ALL CHECKS OR MONEY ORDERS MUST BE MADE PAYABLE TO CLERK OF COURTS.  
NO CASH WILL BE ACCEPTED\*\*\*\*\***

**SEE REVERSE SIDE**

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**Execution of Bond** – Defendants who appeal must execute a bond (cash or signature) to the Kenosha Municipal Court that if the judgment is affirmed he/she shall pay the forfeiture and all costs awarded on appeal.

**Request for Waiver of Appeal Fees** – A defendant claiming an inability to pay an appeal and/or jury fee may petition the Kenosha Circuit Court for a waiver of fees.

**Stay of Judgment** – Upon meeting the requirements for an appeal the execution of the judgment or order of the Municipal Court shall be stayed until the final disposition of the appeal.

**Right of Non-Appealing Party** – The non-appealing party also has the right within 20 days of the filing of the notice of appeal to request that the appeal be either a bench trial before a circuit court judge or a trial to a six person jury. If this party files for the latter trial option, he/she must post the \$36.00 jury fee before a six person jury. If such a request is made by the non-appealing party, they must post the \$36.00 jury fee.