

Using This Form

1. Copies
 - a. Original – to court.
 - b. First copy – to appellant.
2. Prepared by clerk, signed by appellant.
3. Attachment – case papers for case being appealed.
4. Preparation details – setting trial date in circuit court on appeal cases.
 - a. Complete Data Elements Nos. 4, 5, and 6 if circuit court has pre-set trial date for district court cases (first check box in Data Element 4) or pre-set docket call date on which district court cases will be called for setting the trial date (second check box in Data Element No. 4).
 - b. Check Data Element No. 7 if some other method is used to set trial dates for district court cases.

NOTICE OF APPEAL – CIVIL

Commonwealth of Virginia VA. CODE §§ 16.1-106, 16.1-106.1, 16.1-107, 16.1-113, 16.1-298

..... **1** **3** General District Court
CITY OR COUNTY Juvenile and Domestic Relations District Court

..... **2**
DATE OF FINAL ORDER

I, the undersigned, note my appeal of the judgment of this court to the circuit court of this city or county.

My appeal is scheduled to be called for trial setting of trial date on

..... **5** in the circuit court, which is located at
DATE AND TIME OF APPEARANCE

..... **6**
STREET ADDRESS OF CIRCUIT COURT TELEPHONE NUMBER

7 I understand that I must contact the circuit court clerk’s office for instructions for setting the trial date.
I understand that within 30 days, or 10 within days in an unlawful detainer case (except within 30 days in an unlawful detainer case against an indigent former owner based upon a foreclosure), of the entry of judgment, I must deliver to the Clerk of this Court:

- 1. \$ **8** for circuit court writ tax, costs, and fees for service of process, if applicable.
and
- 2. (a) \$ **9** appeal bond with sufficient surety approved by the Judge or Clerk of this Court, cash deposit, bank check, or by draft from the escrow account of my attorney. The appeal bond must be written to indemnify the party in whose favor a judgment was rendered in this Court in the event that such party is awarded a judgment on appeal in circuit court.
or
- (b) A written irrevocable confirmation of liability insurance coverage in an amount sufficient to satisfy the judgment from my insurer.
or
- (c) An order by the court finding that I am indigent for the purpose of appeal pursuant to Virginia Code § 16.1-107.

I also understand that I must pay the writ tax and costs if applicable and post the appeal bond within appropriate time period of the entry of judgment for the appeal in my case to be complete (“perfected”), and that my failure to do so within the appropriate time period will result in the loss of my appeal rights. I further understand that the order or judgment which I am appealing remains in full force and effect if it involves a protective order, continuing programs pursuant to Virginia Code § 16.1-289.1 or other proceedings specified by law, until changed or annulled by the circuit court.

..... **10**
DATE APPEAL NOTED

..... **11**
APPELLANT: PLAINTIFF/PETITIONER DEFENDANT/RESPONDENT

by **12**
ATTORNEY FOR APPELLANT

NOTICE: Promptly communicate with the clerk of the circuit court of this jurisdiction concerning the subpoenaing of witnesses and, in an appeal of a final civil judgment, any need for interpreters, and if you wish to request a jury trial. Failure to appear in the circuit court at the designated date and time may result in the dismissal of your appeal.

WITHDRAWAL OF APPEAL: If this appeal is withdrawn within ten (10) days after entry of the judgment or order when no appeal bond or costs are required to perfect the appeal, or before being “perfected” by posting required appeal bond or paying required costs, no additional costs will be taxed against you. After ten (10) days or after the appeal is “perfected” by posting the required appeal bond or paying required costs, in accordance with § 16.1-106.1, any withdrawal of the appeal must occur in Circuit Court. Upon withdrawal of the appeal in Circuit Court, additional costs will be incurred and any cash bond posted to perfect the appeal may be disbursed.

CASE NO. 13
NOTICE OF APPEAL
..... 14 PLAINTIFF/PETITIONER NAME (LAST, FIRST, MIDDLE)
.....
v.
..... 15 DEFENDANT/RESPONDENT NAME (LAST, FIRST, MIDDLE)
.....
JUDGMENT DATE:
..... 16
PLAINTIFF’S/PETITIONER’S ATTORNEY
<input type="checkbox"/> Same as on Attached
..... 17
DEFENDANT’S/RESPONDENT’S ATTORNEY
<input type="checkbox"/> Same as on Attached
..... 18
WITHDRAWAL
I, the undersigned, withdraw my appeal in this case
..... 19 DATE
..... 20 APPELLANT
by 21 ATTORNEY FOR APPELLANT

Data Elements

1. Jurisdiction name.
2. Date of final order of district court judgment being appealed.
3. Check type of court.
4. Check the first box if a pre-set trial date is to be given through the district court. If a pre-set docket call date for setting trial is to be given through the district court, check the second box.
5. Insert date and time of scheduled appearance for reasons shown by Data Element No. 4 in circuit court.
6. Street address and telephone number of circuit clerk's office.
7. Check if another method for setting trial or docket call appearance is used.
8. Total amount of writ tax, costs and service of process fees required to be posted.
9. Amount of appeal bond to be posted.
10. Date of noting of appeal.
11. Signature of appellant if he noted the appeal; print or type appellant's name if appeal noted by appellant's attorney. Check applicable box indicating if appellant is plaintiff/petitioner or defendant/respondent.
12. Signature of attorney when appeal noted by attorney.
13. Court case number.
14. Name(s) of plaintiff(s) or petitioner in district court.
15. Name(s) of defendant(s) or respondent in district court.
16. Date of judgment.
17. Name and address of plaintiff's attorney.
18. Name and address of defendant's attorney.
19. Date of withdrawal of appeal.
20. Signature of appellant or name of appellant if withdrawn by appellant's attorney.
21. Signature of appellant's attorney, if applicable.