NOTICE OF APPEAL – CIVIL

Commonwealth of Virginia VA. CODE ÄÄ16.1-106, 16.1-106.1, 16.1-107, 16.1-113, 16.1-298

[ ] General District Court

..... [✔] Juvenile and Domestic Relations District Court

CITY OR COUNTY

.....

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 .....

DATE AND TIME OF APPEARANCE

in the circuit court, located at

.....

STREET ADDRESS OF CIRCUIT COURT TELEPHONE NUMBER

[ ] I understand that I must contact the circuit court clerkôs office for instructions for setting the trial date.

I understand that within 30 days, or within 10 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. $ ..... for circuit court writ tax, costs, and fees for service of process, if applicable.

and

2. (a) $ .. .. 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) An order by the court finding that I am indigent for the purpose of appeal pursuant to Virginia Code Ä16.1-107.

I also understand that I must pay the writ tax and costs if applicable and post the appeal bond within the applicable time period of the entry of judgment for the appeal in my case to be complete (ñperfectedò), and that my failure to do so within the applicable 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 Ä16.1-289.1 or other proceedings specified by law, until changed or annulled by the circuit court.

I also understand that if I am appealing an unlawful detainer for a residential dwelling unit, once the appeal in my case is complete (ñperfectedò), I am required to pay the rental amount in the rental agreement to the plaintiff on or before the 5th day of each month. I understand that if I do not pay, the circuit court judge is required, upon motion of the plaintiff and without a hearing, to enter judgment for the outstanding rent, late charges, attorney fees and any other charges due as of that date, subtracting any payments that I made as shown in court accounts or on a written affidavit submitted by the plaintiff, or the plaintiffôs managing agent or attorney, and to enter an order for possession without any further hearings or proceedings. If this appeal is being made after the sheriff has served the notice of intent to execute a writ of eviction, you must notify the sheriff of this appeal.

.....

DATE APPEAL NOTED

_____

APPELLANT: [ ] PLAINTIFF/PETITIONER [ ] DEFENDANT/RESPONDENT

by _____

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 ñperfectedò 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 ñperfectedò by posting the required appeal bond or paying required costs, in accordance with Ä16.1-106.1, 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.

FORM DC-475 REVISED 07/21

CASE NO.

NOTICE OF APPEAL

.....

PLAINTIFF/PETITIONER NAME (LAST, FIRST, MIDDLE)

.....

.....

v.

.....

DEFENDANT/RESPONDENT NAME (LAST, FIRST, MIDDLE)

.....

.....

JUDGMENT DATE:

.....

PLAINTIFFôS/PETITIONERôS ATTORNEY

[ ] Same as on Attached

.....

.....

.....

DEFENDANTôS/RESPONDENTôS ATTORNEY

[ ] Same as on Attached

.....

I, the undersigned, withdraw my appeal in this case

.....

DATE

_____

APPELLANT

by _____

ATTORNEY FOR APPELLANT