

HOW TO FILL OUT NOTICE OF APPEAL FORM (APP-102) FOR LIMITED CIVIL CASES

- This tipsheet may be helpful if you are appealing a **Limited Civil Unlawful Detainer Case (eviction case)** order or judgment. If you lose a Limited Civil Unlawful Detainer Case, you may want to appeal the case. An appeal is when you ask a higher court to review the trial court's decision in the original case.
- If you decide to appeal your Limited Civil Unlawful Detainer Case, you will need to fill out the Notice of Appeal Form, which is **form APP-102**.¹ You can find the [Notice of Appeal form APP-102 by clicking here](#) or by using the URL provided in the footnote below.²
- Before filing your Notice of Appeal, you will need to figure out your deadline to file the Notice of Appeal (APP-102) form. See our "[Calculating Your Deadline to Appeal a California Limited Civil Unlawful Detainer Order](#)" tipsheet [here](#) or by using the URL provided in the footnote below to help you figure out your deadline.³ *If you do not file your Notice of Appeal before the deadline, you lose your right to appeal your case.* See the tipsheet for more details.
- You can find information about how to appeal your case on the APP-101-INFO form. You can find [APP-101-INFO by clicking here](#) or by using the URL provided in the footnote below.⁴

¹ One way to verify that your unlawful detainer (eviction) case was a LIMITED civil case is by reviewing the complaint (Form UD-100) for the unlawful detainer case. On the first page of the complaint (Form UD-100), a box should be checked in the Jurisdiction section that labels the case as limited civil.

² <https://www.courts.ca.gov/documents/app102.pdf>

³ <https://fvaplav.org/wp-content/uploads/2022/02/Calculating-Your-Deadline-for-Appeal-in-a-Limited-Civil-UD-Case-FINAL-DRAFT-2.23.22.pdf>

⁴ <https://www.courts.ca.gov/documents/infoapp101.pdf>

Check box (a) “The first appeal in this case” if you are the party appealing the order.

Check box (b) “Cross-Appeal” and complete (1), (2) and (3) if the other party appealed, and you would also like to appeal.

(1) This is the date the opposing party filed their Notice of Appeal (Form APP-102).

(2) After the opposing party files their Notice of Appeal Form, the court clerk will send you a document to tell you an appeal was filed. Write the date the court clerk sent this document here.

(3) The appellate division case number is on the top right of page one on the opposing party’s Notice of Appeal form.

2 This is *(check a or b)*:

a. The first appeal in this case.

b. A cross-appeal (an appeal filed after the first appeal in this case *(complete (1), (2), and (3))*).

(1) The notice of appeal in the first appeal was filed on *(fill in the date that the other party filed its notice of appeal in this case)*: _____

(2) The trial court clerk served notice of the first appeal on *(fill in the date that the clerk served the notice of the other party’s appeal in this case)*: _____

(3) The appellate division case number for the first appeal is *(fill in the appellate division case number of the other party’s appeal, if you know it)*: _____

Check (a) if you are appealing a final judgement. In an unlawful detainer case, this is the order saying you can be evicted from your unit. Write the date the court made this order.

Check (b) if you are appealing anything other than a final judgement. Check the box that describes the order you are appealing and write in the date the court made the order. If the order you would like to appeal is not listed, check box (9) and explain the order you are appealing and the date the order was made.

③ Judgement or Order You Are Appealing

I am/My client is appealing (*check a or b*):

- a. The final judgement in the trial court case identified in the box on page 1 of this form.
The date the trial court entered this judgement was (*fill in the date*): _____
- b. Other:
 - (1) An order made after final judgement in the case.
The date the trial court entered this order was (*fill in the date*): _____
 - (2) An order changing or refusing to change the place of trial (venue).
The date the trial court entered this order was (*fill in the date*): _____
 - (3) An order granting a motion to quash service of summons.
The date the trial court entered this order was (*fill in the date*): _____
 - (4) An order granting a motion to stay or dismiss the action on the ground of inconvenient forum.
The date the trial court entered this order was (*fill in the date*): _____
 - (5) An order granting a new trial.
The date the trial court entered this order was (*fill in the date*): _____
 - (6) An order denying a motion for judgement notwithstanding the verdict.
The date the trial court entered this order was (*fill in the date*): _____
 - (7) An order granting or dissolving an injunction or refusing to grant or dissolve an injunction.
The date the trial court entered this order was (*fill in the date*): _____
 - (8) An order appointing a receiver.
The date the trial court entered this order was (*fill in the date*): _____
 - (9) Other action (*please describe and indicate the date the trial court took the action you are appealing*):

A Notice Designating Record on Appeal is a form you need to file to tell the trial court how to give information about your trial court case to the appellate division. This “designation of record” is the official record of what happened at the trial court in your case. This official record helps the appellate judges understand the case since they were not at the trial court.

Check (a) if you plan to file your Notice Designating Record on Appeal form with your Notice of Appeal form.

Check (b) if you plan to file your Notice Designating Record on Appeal form after you file your Notice of Appeal form.

④ Record Preparation Election

Complete this section only if you are filing the first appeal in this case. If you are filing a cross-appeal, skip this section and go to the signature line.

If you are filing the first appeal in this case, you must serve and file a notice in the trial court designating the record on appeal. You may use Appellant’s Notice Designating Record on Appeal (Limited Civil Case)(form APP-103).

Check a or b:

- a. I will serve and file a notice designating the record on appeal together with this notice of appeal.
- b. I will serve and file notice designating the record on appeal later. I understand that I must file this notice in the trial court within 10 days of the date I file this notice of appeal, and that if I do not file the notice designating the record on time, the court may dismiss my appeal.

****signatures and record timeline that you see on form APP-102 after part 4 are not included here****