

CITY OF
SAN ANTONIO

MUNICIPAL
COURTS
DEPARTMENT



APPELLANT'S
INFORMATION

San Antonio Municipal Courts are courts of record. This means that any appeal of a decision finding an individual guilty must be based on legal, evidentiary, or procedural errors made during the trial. In order to appeal, these errors must first be set forth in a Motion for New Trial and presented in the clerk's record and the reporter's record prepared from the trial proceedings. The Bexar County Courts at Law have jurisdiction over appeals from Municipal Courts.

If you are found guilty and wish to appeal, you must follow the appeal procedures set forth in Subchapter A of Government Code Chapter 30 and Code of Criminal Procedure. The procedures consist of the following four steps:

1. File written Motion for New Trial
2. Give notice of appeal
3. File appeal bond
4. Request record on appeal

1. Motion for New Trial

If you wish to appeal your case, you must file a Motion for New Trial with Municipal Courts no later than ten (10) days after the date the judgment or conviction is rendered. However, if the 10th day falls on a Saturday, Sunday, or legal holiday, the due date becomes the following business day. The Motion for New Trial must set forth the basis of the errors of leading to the conviction or appeal. Once filed, if the original or amended motion is not acted on by the court at the expiration of the 30 days allowed for determination, the original or amended Motion for New Trial is overruled by operation of law.

2. Notice of Appeal

You must also give notice of the appeal. If a hearing is held on your Motion for New Trial and the Judge overrules your motion, you may give the Notice of Appeal orally in open court on the day your motion is overruled. If there is no hearing, you must give written Notice of Appeal with the court within ten (10) days after the Motion for New Trial is overruled.

3. Appeal Bond

You must file an Appeal Bond no later than the 10th day after your Motion for New Trial is overruled. The Appeal Bond must be approved by the court and must be in the amount of \$100.00 or double the fine and court costs, whichever is greater. The Appeal Bond must state that you were convicted in your case and that you are appealing the conviction. The Appeal Bond must be conditioned on your immediate and daily personal appearance in the court to which the appeal is taken.

4. Record on Appeal

You must request preparation of the record on appeal. The record on appeal consists of the clerk's record and the reporter's record prepared from the trial proceedings. The

clerk's record is prepared by the Municipal Clerk upon request. The reporter's record is prepared by the court reporter from the reporter's transcription or audio recording of the trial proceedings. Not later than the 60th day after the Notice of Appeal is given or filed, you must complete the following with the Municipal Courts:

- A. Submit a written request for the preparation and transfer of the clerk's record to the appellate court. The request shall include a description of materials to be included in the clerk's record in addition to the required material. Required materials include: the complaint, material docket entries made by the court, jury charge, jury verdict, judgment, motion for new trial, notice of appeal, all written motions and pleas, bills of exception, and the appeal bond. At the time of your request, you must pay a \$25.00 fee for the preparation of the clerk's record. This fee does not include the fee for the actual transcription of the proceedings. If you are successful in the appeal of your case, the \$25.00 preparation fee will be refunded to you. This fee is used to cover the costs of processing your appeal to the appellate court.
- B. Request the preparation of the reporter's record from the court reporter. You must pay the court reporter for this cost. All requests for court reporter services require: \$75.00 deposit, \$4.00 per page, and \$10.00 for binding. The reporter's record must be prepared and filed with the Municipal Clerk no later than the 60th day after you give your Notice of Appeal.

Upon completion of the record (the appellate file), the Municipal Judge shall approve the record. Once approved by the court, the Municipal Clerk will promptly forward the record to the appellate court for filing. When the appellate court receives the file, the clerk of that court will notify you that the file has been received and filed.

Contact the court reporter for specific details regarding preparation of the reporter's record at the following address:

Court Reporter
Municipal Courts
401 S. Frio St.
San Antonio, TX 78207
210-207-7138
210-207-7917

Summary of Charges	
Appeal Bond:	\$100.00 or double the amount of the fine and court costs, whichever is greater
Preparation of Clerk's Record:	\$25.00 due at the time of request
Preparation of Reporter's Record:	\$75.00 deposit \$4.00 per page \$10.00 for binding