

Appellant's notice

(All appeals except small claims track appeals)

For Court use only	
Appeal Court Ref. No.	
Date filed	

Notes for guidance are available which will help you complete this form. Please read them carefully before you complete each section.



Section 1 Details of the claim or case you are appealing against

Claim or Case no.

Name(s) of the Claimant(s) Applicant(s) Petitioner(s)

Name(s) of the Defendant(s) Respondent(s)

Details of the party appealing ('The Appellant')

Name

Address (including postcode)

Tel No.	
Fax	
E-mail	

Details of the Respondent to the appeal

Name

Address (including postcode)

Tel No.	02929345531
Fax	02920 398206
E-mail	Melanies@dolmans.co.uk

Details of additional parties (if any) are attached

Yes No

Section 2 Details of the appeal

From which court is the appeal being brought?

- The County Court at
Cardiff
- High Court
- Queen's Bench Division
- Chancery Division
- Family Division
- Other (please specify)

What is the name of the Judge whose decision you want to appeal?

His Honour Judge Seys Llewellyn QC

What is the status of the Judge whose decision you want to appeal?

- District Judge or Deputy Circuit Judge or Recorder Tribunal Judge
- Master or Deputy High Court Judge or Deputy

What is the date of the decision you wish to appeal against?

26th April 2013

To which track, if any, was the claim or case allocated?

- Fast track
- Multi-track
- Not allocated to a track

Nature of the decision you wish to appeal

- Case management decision Grant or refusal of interim relief
- Final decision A previous appeal decision

Section 3 Legal representation

Are you legally represented?

Yes No

If 'Yes', please give details of your solicitor below

Name of the firm of solicitors representing you

The address (including postcode) of the firm of solicitors representing you

Tel No.	
Fax	
E-mail	
DX	
Ref.	

Are you, the Appellant, in receipt of a Legal Aid Certificate or a Community Legal Service Fund (CLSF) certificate?

Yes No

Is the respondent legally represented?

Yes No

If 'Yes', please give details of the respondent's solicitor below

Name and address (including postcode) of the firm of solicitors representing the respondent

c/o
Dolmans
1.Kingsway
Cardiff
CF10 3DS

Tel No.	
Fax	
E-mail	melanies@dolmans.co.uk
DX	
Ref.	

Section 4 Permission to appeal

Do you need permission to appeal?

Yes No

Has permission to appeal been granted?

Yes (Complete Box A)

No (Complete Box B)

Box A

Date of order granting permission

Name of Judge granting permission
His Honour Judge Seys Llewellyn QC

Box B

I

the Appellant('s solicitor) seek permission to appeal.

If permission to appeal has been granted **in part** by the lower court, do you seek permission to appeal in respect of the grounds refused by the lower court?

Yes No

Section 5 Other information required for the appeal

Please set out the order (or part of the order) you wish to appeal against

Part of the order

4. The recording if made shall be erased by the Claimant no later than 10 days from the date of this order namely by 7th May 2013

Have you lodged this notice with the court in time?
(There are different types of appeal -
see Guidance Notes N161A)

Yes No

If 'No' you must complete
Part B of Section 9

Section 6 Grounds of appeal

Please state, in numbered paragraphs, **on a separate sheet** attached to this notice and entitled 'Grounds of Appeal' (also in the top right hand corner add your claim or case number and full name), why you are saying that the Judge who made the order you are appealing was wrong.

I confirm that the grounds of appeal are attached to this notice.

Section 7 Arguments in support of grounds for appeal

I confirm that the arguments (known as a 'Skeleton Argument') in support of the 'Grounds of Appeal' are set out **on a separate sheet** and attached to this notice.

OR

I confirm that the arguments (known as a 'Skeleton Argument') in support of the 'Grounds of Appeal' will follow within 14 days of filing this Appellant's Notice

Section 8 What are you asking the Appeal Court to do?

I am asking the appeal court to:-
(please tick the appropriate box)

- set aside the order which I am appealing
- vary the order which I am appealing and substitute the following order. Set out in the following space the order you are asking for:-

4. The recording if made shall be erased by the Claimant no later than 10 days after the final order or judgment in these legal proceedings.

- order a new trial

Section 9 Other applications

Complete this section **only** if you are making any additional applications.

Part A

- I apply for a stay of execution. (You must set out in Section 10 your reasons for seeking a stay of execution and evidence in support of your application.)

Part B

- I apply for an extension of time for filing my appeal notice. (You must set out in Section 10 the reasons for the delay and what steps you have taken since the decision you are appealing.)

Part C

- I apply for an order that:

1. The Claimant is permitted to make a recording of all of the remaining Defence witness's evidence.
2. The Defendant and previous named Defendants in the cause, being both competent and compellable, are to give evidence on behalf of either party.

3 WITNESSES :

(You must set out in Section 10 your reasons and your evidence in support of your application.)

Section 10 Evidence in support

In support of my application(s) in Section 9, I wish to rely upon the following reasons and evidence:

Having been given the right to tape record evidence of Defence witnesses only the Claimant requires adequate time to consider the information tape recorded for the length of the trial and, if need be, subsequent appeals filed by either party.

Statement of Truth – This must be completed in support of the evidence in Section 10.

I believe (The appellant believes) that the facts stated in this section are true.

Full name

Name of appellant's solicitor's firm

signed

Appellant ('s solicitor)

position or office held

(if signing on behalf of firm or company)

Section 11 Supporting documents

To support your appeal you should file with this notice all relevant documents listed below. To show which documents you are filing, please tick the appropriate boxes.

If you do not have a document that you intend to use to support your appeal complete the box over the page.

In the county court or High Court:

- three copies of the appellant's notice for the appeal court and three copies of the grounds of appeal;
- one additional copy of the appellant's notice and grounds of appeal for each of the respondents;
- one copy of the sealed (stamped by the court) order being appealed;
- a copy of any order giving or refusing permission to appeal; together with a copy of the judge's reasons for allowing or refusing permission to appeal; and
- a copy of the legal aid or CLSF certificate (if legally represented).

In the Court of Appeal:

- three copies of the appellant's notice and three copies of the grounds of appeal;
- one additional copy of the appellant's notice and one copy of the grounds of appeal for each of the respondent;
- one copy of the grounds of appeal on a separate sheet attached to each of the appellant's notices filed;
- one copy of the sealed (stamped by the court) order or tribunal determination being appealed;
- a copy of any order giving or refusing permission to appeal together with a copy of the judge's reasons for allowing or refusing permission to appeal;
- one copy of any witness statement or affidavit in support of any application included in the appellant's notice;
- where the decision of the lower court was itself made on appeal, a copy of the first order, the reasons given by the judge who made it and the appellant's notice of appeal against that order;
- in a claim for judicial review or a statutory appeal a copy of the original decision which was the subject of the application to the lower court;
- a copy of the order allocating the case to a track (if any)
- one copy of the skeleton arguments in support of the appeal or application for permission to appeal;
- a copy of the approved transcript of judgment; and
- a copy of the legal aid or CLSF certificate (if legally represented)

Reasons why you have not supplied a document and date when you expect it to be available:-

Title of document and reason not supplied	Date when it will be supplied

Section 12 The notice of appeal must be signed here

Signed Appellant('s Solicitor)