

IN THE COURT OF APPEAL IN THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION

THE PEOPLE OF THE STATE OF CALIFORNIA, )  
)  
Plaintiff and Respondent, ) Court of Appeal  
) No.  
v. )  
) Superior Court  
) No.  
)  
Defendant and Appellant. )  
\_\_\_\_\_ )

APPEAL FROM THE SUPERIOR COURT

Honorable

**APPELLANT’S REQUEST FOR JUDICIAL NOTICE**

TO THE HONORABLE \_\_\_\_\_, PRESIDING

JUSTICE, AND TO THE HONORABLE ASSOCIATE JUSTICES OF THE COURT OF  
APPEAL, FOURTH APPELLATE DISTRICT, DIVISION \_\_\_\_\_ :

Appellant, respectfully requests this court, pursuant to Evidence Code sections  
459, subdivision (a), 453, and 452, subdivisions (d)(1) and (h), and pursuant to rule  
8.155(a) of the California Rules of Court, to take judicial notice of the following  
documents:

This request is based upon the present moving papers, the supporting memorandum of points and authorities and the opening brief filed in this appeal.

Date:

\_\_\_\_\_

Attorney at Law  
Name  
State Bar No.  
Address  
Telephone

**MEMORANDUM OF POINTS AND AUTHORITIES  
IN SUPPORT OF MOTION TO TAKE JUDICIAL NOTICE**

Facts Relevant to Request

Pertinent Law and Discussion

Evidence Code section 459(a)(1) specifies that a reviewing court may take judicial notice of any matter properly noticed by the trial court and section 459(a)(2) specifies that a reviewing court may take judicial notice of any matter specified in Evidence Code section 452. Section 452(d)(1) in turn permits judicial notice of the records of any court of this state.

Appellant asks this court to take such notice at appellant's request, hereby gives notice to opposing counsel, and has included the pertinent documents as to which notice was sought,

Judicial notice should be taken of the requested document as its inclusion in the record on appeal is necessary to insure that it is complete. Appellant's Opening Brief relies upon the documents.

Dated:

Respectfully Submitted,  
Attorney at Law  
State Bar No.

Attorneys for Appellant and Defendant