

MASSACHUSETTS APPEALS COURT

John Adams Courthouse
One Pemberton Square, Suite 1200
Boston, MA 02108
(617) 725-8106

<http://www.mass.gov/courts/appealscourt/>

CRIMINAL DOCKETING STATEMENT INSTRUCTIONS

Each appellant or cross-appellant, other than a self-represented litigant who is incarcerated, is required to submit the attached docketing statement within fourteen days of issuance of the notice of entry of the appeal.

All attorneys must electronically file the docketing statement using eFileMA.com in non-impounded cases. Attorneys filing in impounded cases and self-presented parties in all cases are encouraged, but not required, to file the docketing statement using eFileMA.com. Filers may request waiver of the eFileMA.com convenience fee when e-filing a docketing statement by using a waiver account. Docketing statements that are not e-filed must be submitted on paper by mail or hand-delivery to the Appeals Court.

All fields and the certificate of service must be completed. If a request for information is inapplicable to your case, please enter "N/A." If inadequate space is provided for the information requested, please provide the additional information in an attachment. Incomplete docketing statements will not be accepted for filing.

The docketing statement and certificate of service may be signed electronically by the person filing the docketing statement. The proper format for an electronic signature is "/s/" followed by the name of the filer, e.g., "/s/ Jason Jones." Upon agreement between the parties, service of the docketing statement by electronic mail will be deemed in compliance with Mass.R.A.P. 13(c).

To the extent that any request for information on the docketing statement is not clear, please refer to the instructions for each section.

Section 1. Please provide the name or names of each appellant or cross-appellant on whose behalf this docketing statement is submitted.

Section 2. If the docketing statement is being submitted by an attorney, please enter the attorney's name and Board of Bar Overseers registration number. If the docketing statement is being submitted by a self-represented litigant, please check the box on the second line and provide the self-represented litigant's name in the space provided.

Section 3. Please provide the lower court department and division, (e.g. Chelsea District Court) on the line at subsection (a). Please provide the lower court docket number(s) on the line at subsection (b). For subsection (c), please list each judge whose order or judgment is the subject of the appeal and the judge's role in the proceedings. If a judge ruled on a motion, but you are not appealing that ruling, the judge need not be listed. In subsection (d), please provide information concerning any statute or court order deeming the case or any part thereof as impounded. For the purposes of this form, the term "impounded" includes any portion of the record that is impounded, sealed, deemed confidential, or excluded from public access by statute, court order, rule, or standing order.

Section 4. From the dropdown menu, please select the case nature that most closely describes the case being appealed.

Section 5. Section 5 requests various information concerning the procedural history of the case. In subsection (a), please choose the nature of the appeal from the choices given. In subsection (b), please check all boxes that apply. In subsection (c), please indicate whether the appeal involves a ruling on a motion to suppress and whether the judge entered findings on the motion. In subsection (d), please list each offense charged, its disposition and the sentence imposed in the proceedings below, even where the disposition of the particular charge is not at issue in the appeal. In subsection (e), please indicate whether the defendant is incarcerated at the time the docketing statement is being filed. In subsection (f), please provide the defendant's current address. In subsection (g), please indicate whether the defendant's sentence is currently stayed, and, if so, the date of the order staying the sentence and the name of the judge that entered the stay.

Section 6. Please identify any related appeals. Appeals may be related because they either involve the same parties or raise the same issue(s). For appeals that involve the same parties, please list all past, present, and anticipated appeals. For appeals that raise the same issue(s), please only list pending or anticipated appeals.

**MASSACHUSETTS APPEALS COURT
CRIMINAL DOCKETING STATEMENT**

Appeals Court Docket Number _____

Commonwealth v. _____

1. Party Information

Name of the appellant(s) or cross-appellant(s) on whose behalf this statement is being filed:

2. Attorney Information

Name _____ BBO# _____

Or, check this box if you are self-represented and provide your name _____

3. Lower Court Information

a. Court Department _____

b. Lower Court Docket Number(s) _____

c. Specify the name and the role of each judge whose orders are at issue on appeal.

Judge, first and last name _____ Role

Judge, first and last name _____ Role

Judge, first and last name _____ Role

d. Was the case or any information in the record impounded in the lower court? (see Section 3) Yes No

In addition to providing the information below, parties filing a brief or record appendix that contains impounded materials must comply with Uniform Rule on Impoundment Procedure Rule 12(c), Supreme Judicial Court Rule 1:15 s. 2(c), and M.R.A.P. 16(d), 16(m), 18(a), and 18(g). If this case or any material therein is impounded, specify which documents are impounded and the authority for the impoundment, e.g. court order, statute:

4. Nature of the Case

Select the most appropriate description, or enter a description:

5. Procedural Nature of the Case

a. Nature of the Appeal Commonwealth's Appeal Defendant's Direct Appeal Defendant's Collateral Appeal

b. Appeal taken from (check all that apply):

Pretrial Order Jury Trial Non-Jury Trial Post-Conviction Order

c. If the appeal involves a motion to suppress, did the judge enter findings? Yes No

If yes, are the findings: Written Transcribed

d. List each offense charged, its disposition, and any sentence imposed:

e. Is the defendant incarcerated? Yes No

f. Defendant's current address: _____

g. Is there a current order staying execution of the sentence? Yes No

If yes, provide the order's date: _____

And the name of the judge who entered the stay: _____

6. Related Appeals (APC or SJC Cases Only)

a. Are there any pending, past, or anticipated future appeals, or original appellate proceedings that involve these parties or this case that have been entered in the Appeals Court or Supreme Judicial Court? Yes No

b. Do you know of any pending or anticipated appeals raising related issues? Yes No

c. If you answered yes to either question, please provide the case name and docket number and describe the related matter or issue. If the issue involves the interpretation of a particular statute or case law, please provide a citation to the statute or case at issue.

Respectfully Submitted,

Signature

Address

BBO Number

CERTIFICATE OF SERVICE

Pursuant to Mass.R.A.P. 13(d), I hereby certify, under the penalties of perjury, that on this date of _____
I have made service of a copy of the Massachusetts Appeals Court Docketing Statement filed on behalf of

_____, upon the attorney of record for each party, or if the party
has no attorney then I made service directly to the self-represented party, by hand delivery first class mail e-mail
to the following person(s) and at the following address(es). Note: Service may be made by e-mail only with the consent of
each party or opposing counsel:

Signature

Telephone

Address