

**SAMPLE FORM U**

**REQUEST FOR DISMISSAL OF APPEAL  
(CIVIL CASE)**

## **REQUEST FOR DISMISSAL OF APPEAL (CIVIL CASE) INSTRUCTIONS**

If you wish to abandon your civil appeal **AFTER** the record is filed, you should file a written Request for Dismissal of Appeal (Civil Case) form in the **Court of Appeal**. Dismissal of the appeal is discretionary with the Court of Appeal.

This form is available online in Adobe Acrobat PDF format and may be filled out electronically for free at <http://www.courts.ca.gov/forms>. Select "Appellate" forms, then click on Form [APP-007](#).

### **Filling out the Request for Dismissal of Appeal (Civil Case) form:**

#### **Caption**

(1) If you are appealing a case from San Diego or Imperial County, fill out the top box of the form as follows: "Court of Appeal, Fourth Appellate District, Division One." Indicate the Court of Appeal case number and the Superior Court case number in the boxes to the right.

(2) In the "Attorney or Party Without Attorney" area at the top of the form, fill out your name, mailing address, and telephone number where you can be reached during the day. If you have chosen to file your documents electronically, you must include your e-mail address in this section. You may also include a fax number if you have one.

(3) In the next box down, indicate your name next to "APPELLANT" and the responding party's name next to "RESPONDENT."

#### **Dismissal Request**

Write in the date your Notice of Appeal was filed. At the bottom of the form, write the current date, type or print your name legibly, and sign the form.

#### **Proof of Service**

The Request for Dismissal must be served on the other party or parties to the appeal. If the document is served by mail or personal delivery, have someone over the age of 18 who is not a party to the action serve the document and fill out form [APP-009](#). If you are serving the document by e-mail, you can do it yourself and fill out form [APP-009E](#). See instructions accompanying [Sample Form C](#).

**Serve:** All counsel  
All self-represented parties

**Instructions for Paper Filing:**  
Original plus completed  
Proof of Service with Court of Appeal

Provide an extra copy to be file-stamped  
for your file.

