

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

_____	)	
_____	)	
	)	
Plaintiff/Appell _____,	)	
vs.	)	No. _____
_____	)	
_____	)	
	)	
Defendant/Appell _____.	)	

PETITION IN ERROR

PETITION IN ERROR  
 AMENDED OR SUPPLEMENTAL PETITION  
 CROSS PETITION  
 COUNTER-PETITION  
 DATE FIRST PETITION IN ERROR FILED: \_\_\_\_\_

I. TRIAL COURT HISTORY

COURT/TRIBUNAL: \_\_\_\_\_  
 COUNTY: \_\_\_\_\_  
 CASE NO.: \_\_\_\_\_  
 JUDGE: \_\_\_\_\_  
 NATURE OF CASE: \_\_\_\_\_  
 (e.g., Divorce, Personal Injury)

NAME OF PARTY OR PARTIES FILING THIS PETITION IN ERROR:

\_\_\_\_\_

THE APPEAL IS BROUGHT FROM: (Check one)

- Judgment, Decree or Final order of District Court.
- Appeal from order granting summary judgment or motion to dismiss (Accelerated procedure under Rule 1.36).
- Appeal from Revocation of Driver's License (Rule 1.21(b)).
- Final Order of Other Tribunal.  
(Specify Corporation Commission, Insurance Department, Tax Commission, Court of Tax Review, Banking Board or Banking Commissioner, etc. \_\_\_\_\_)
- Interlocutory Order Appealable by Right.
- Other \_\_\_\_\_

II. TIMELINESS OF APPEAL

- 1. Date judgment, decree or order appealed was filed: \_\_\_\_\_.
- 2. Did the party appealing prepare the judgment, decree or order appealed? \_\_\_\_ Yes \_\_\_\_ No.
- 3. Date the certificate of service was filed in the trial court: \_\_\_\_\_.
- 4. Does the judgment or order on appeal dispose of all claims by and against all parties?  
\_\_\_\_ Yes \_\_\_\_ No.

If not, did district court direct entry of judgment in accordance with 12 O.S. § 994? \_\_\_\_ Yes \_\_\_\_ No.

When was this done? \_\_\_\_\_

- 5. If the judgment or order is not a final disposition, is it appealable because it is an Interlocutory Order Appealable by Right? \_\_\_\_ Yes \_\_\_\_ No. Specific *statutory* basis for interlocutory order appealable by right: \_\_\_\_\_.
- 6. If none of the above applies, what is the specific *statutory* basis for determining the judgment or order is appealable? \_\_\_\_\_
- 7. Were any post-trial motions filed?

<u>Type</u>	<u>Date Filed</u>	<u>Date Disposed</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

- 8. This Petition is filed by: \_\_\_\_ Delivery to Clerk, or  
\_\_\_\_ Mailing to Clerk by U.S. Certified Mail, Return  
Receipt Requested, on \_\_\_\_\_ (date)

III. RELATED OR PRIOR APPEALS

List all prior appeals involving same parties or same trial court proceeding: \_\_\_\_\_

List all related appeals involving same issues: \_\_\_\_\_

(Identify by Style, Appeal Number, Status, and Citation, if any. If none, so state.)

#### IV. SETTLEMENT CONFERENCE

Is appellant willing to participate in an attempted settlement of the appeal by predecisional conference under Rule 1.250? \_\_\_\_\_ Yes \_\_\_\_\_ No

#### V. RECORD ON APPEAL

\_\_\_\_\_ A Transcript will be ordered.

\_\_\_\_\_ No Transcript will be ordered because no record was made and/or no transcript will be necessary for this appeal

\_\_\_\_\_ A Narrative Statement will be filed

\_\_\_\_\_ Record is concurrently filed as required by Rule 1.34 (Driver's License Appeals, etc.) or Rule 1.36 (Summary judgments and motions to dismiss granted).

#### VI. JUDGMENT, DECREE OR ORDER APPEALED -- EXHIBIT "A"

(Attach as Exhibit "A" to the Petition in Error a certified copy of the judgment, decree or order from which the appeal is taken. If a post-trial motion extending appeal time under Rule 1.22 was filed, a certified copy of the order disposing of the motion must be attached also.)

#### VII. SUMMARY OF CASE -- EXHIBIT "B"

Attach as Exhibit "B" a brief summary of the case *not to exceed one 8 1/2"x 11" double spaced page.*

#### VIII. ISSUES TO BE RAISED ON APPEAL -- EXHIBIT "C"

Attach as Exhibit "C" the issues proposed to be raised. Include each point of law alleged as error. Avoid general statements such as "Judgment not supported by law."

IX. NAME OF COUNSEL OR PARTY, IF PRO SE

ATTORNEY FOR APPELLANT

Name:

OBA No.:

Firm:

Designated Case-Specific Email Address: [if applicable]

Secondary Email Address: [if applicable]

Address:

Telephone:

ATTORNEY FOR APPELLEE

Name:

OBA No.:

Firm:

Designated Case-Specific Email Address: [if applicable]

Secondary Email Address: [if applicable]

Address:

Telephone:

DATE: \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
Verified by (Signature of Attorney or Pro Se Party)

\_\_\_\_\_  
Firm

\_\_\_\_\_  
Designated Case-Specific Email Address *[if applicable]*

\_\_\_\_\_  
Secondary Email Address *[if applicable]*

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone

X. CERTIFICATE OF MAILING TO ALL PARTIES AND  
COURT CLERK

I hereby certify that a true and correct copy of the Petition in Error was mailed this \_\_\_ day of \_\_\_\_\_, 20\_\_\_ by depositing it in the U.S. Mail, postage prepaid or by electronic mail to \_\_\_\_\_

\_\_\_\_\_  
(Name and Address and/or Email Address of Each Party or Counsel)

I further certify that a copy of the Petition in Error was mailed to, or filed in, the Office of \_\_\_\_\_ on the

\_\_\_\_\_  
(District Court Clerk or Other Tribunal)

\_\_\_ day of \_\_\_\_\_, 20\_\_\_.

\_\_\_\_\_  
Certified by (Signature of Attorney or Pro Se Party)