

[ADDRESS OF THE APPELLATE CLERK  
FOR THE APPROPRIATE COUNTY (SEE SEPARATE LIST)]

Re: Rule 32.1(b) request  
*People v. John Smith*  
Superior Court No. C123456  
2d Crim. No. X123456

Dear [CLERK'S NAME]:

I am appointed counsel on appeal for defendant John Smith in the above-entitled case. Pursuant to Rule 32.1(b) of the California Rules of Court and Local Rule 2(a) of the Second Appellate District Court of Appeal, I am writing to point out that the current record on appeal is incomplete, and to request that the following material, which was omitted from the record, be prepared, certified and transmitted to the Court of Appeal:

1. A Reporter's Transcript of voir dire in which there was a *Wheeler* motion made that was conducted on November 29-30, 2003.
2. A Reporter's Transcript of a hearing on a *Faretta* motion that was held on October 20, 2003.

Thank you for your assistance. If you have any questions, please telephone me at (213) 243-0374. If I am not in, a message can be left on my voicemail.

Sincerely,

SUZAN HIER

cc: Court of Appeal

DECLARATION OF SERVICE

***Re: People v. John Smith***

***No. C123456***

I, Sally Server, declare that I am over 18 years of age, employed in the County of Los Angeles, and not a party to the within action; my business address is California Appellate Project, 520 South Grand Avenue, 4th Floor, Los Angeles, California 90071. I am employed by a member of the bar of this court.

On February 3, 2004, I served the within

**RULE 32.1(B) REQUEST FOR ADDITIONAL RECORD ON APPEAL  
AND REQUEST FOR STAY OF BRIEFING SCHEDULE**

on each of the following, by placing true copies thereof in envelopes addressed respectively as follows, and depositing them in the United States Mail at Los Angeles, California:

Joseph A. Lane  
Clerk of the Court of Appeal  
Second Appellate District  
Division XXX [EXCEPT DIV. SIX]  
300 South Spring Street  
North Tower, Room 2217  
Los Angeles, CA 90013

[NAME], District Attorney  
[ADDRESS]

ATTN: Peter Piper, Deputy

JOHN SMITH  
D-12345  
Anywhere State Prison  
P.O. Box 123  
Sacramento, CA 99999

Bill Lockyer, Attorney General  
300 South Spring Street  
Fifth Floor, North Tower  
Los Angeles, CA 90013  
ATTN: Ronald Responder, Deputy  
(hand delivered)

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 3, 2004, at Los Angeles, California.

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SALLY SERVER