

DOCUMENT 26

HOW TO USE THE NOTICE OF APPEAL

PURPOSE

The Notice of Appeal is the document that begins the appellate process. It informs the court and opposing party that review of the judgment is being sought.

WHEN TO FILE

File the Notice of Appeal within the applicable deadline. Missing a filing deadline can permanently prevent appellate review.

WHAT THE NOTICE OF APPEAL DOES

- Begins the appeal
- Preserves access to appellate review
- Identifies the judgment being challenged
- Transfers focus from trial proceedings to appellate proceedings

WHAT THE NOTICE OF APPEAL DOES NOT DO

The Notice of Appeal is not the appellate brief. It does not contain all arguments, authorities, or evidence. It simply begins the process.

EXAMPLE SEQUENCE

Verdict → Post-Trial Motion → Motion Denied → Notice of Appeal Filed → Appellate Preparation Begins

COMMON MISTAKE #1

Waiting too long to review appellate deadlines.

COMMON MISTAKE #2

Assuming the appellate court will automatically review issues that were never preserved.

COMMON MISTAKE #3

Treating the Notice of Appeal as the appellate argument itself.

LD APPLICATION

The Liberty Dialogues emphasizes record preservation and disciplined process. The Notice of Appeal is one of the critical bridges between trial and appellate review.

AFTER FILING

Review preserved issues, organize the record, review appellate deadlines, and begin preparation of the appellate brief.

FINAL PRINCIPLE

The appeal often begins long before the Notice of Appeal is filed. Proper preservation during trial creates the foundation for meaningful appellate review.