

IN THE COURT OF APPEALS OF VIRGINIA

RECORD NO.

Name(s), Appellant(s)¹

v.

Name(s), Appellee(s)

MOTION FOR EXTENSION OF TIME TO FILE TRANSCRIPT²

Appellant/Appellee (Name), by counsel, (if applicable), moves this Honorable Court for an order extending the time within which to file the transcript.³ In support of this request, the appellant/appellee states:

- 1) On (date), the (name of City/County) Circuit Court entered an order regarding (describe trial court order being appealed) (Attach the order being appealed so the Court of Appeals may verify the dates).
- 2) On (date), the appellant filed a notice of appeal.
- 3) On (date) (state the relevant proceedings and status of the case in the trial court or the Court of Appeals).
- 4) Appellant/appellee requires an extension of time to file the transcript because (state the reasons why an extension is needed).⁴

¹ Regardless of whether you were the plaintiff or the defendant in the trial court, in the Court of Appeals you are called the appellant if you are the one who is appealing or the appellee if you are responding to an appeal filed by someone else.

² The Court of Appeals cannot grant extensions for filing statements of fact in the trial court. Rule 5A:3(b). Those motions must be filed in the trial court.

³ Rule 5A:8(a) provides that the transcript must be filed in the trial court no later than 60 days after entry of the final judgment. This deadline may be extended by the Court of Appeals only upon a written motion filed within 90 days after entry of final judgment.

5) In accordance with Rule 5A:2(a), I contacted the opposing party before filing this motion. The opposing party (agrees/objects) to the extension requested.⁵

WHEREFORE, the appellant/appellee respectfully requests an additional 30 days to file the transcript in the trial court.

CERTIFICATE OF SERVICE

I certify that on *(date)* _____, I *(check one)*

mailed | emailed

a copy of this document to:

Party Name: _____

Attorney Name: *(if any)* _____

Address: _____

Email address: _____

Respectfully submitted,

[Signature]

[Date]

NAME OF APPELLANT OR ATTORNEY

EMAIL ADDRESS

LAW FIRM NAME (IF APPLICABLE)

MAILING ADDRESS

TELEPHONE NUMBER

BAR NUMBER (IF APPLICABLE)

⁴ Rule 5A:3 provides that an extension may be granted for good cause shown.

⁵ Rule 5A:2(a)(2) provides that opposing parties have 10 days after a motion is filed to file a response, but the Court of Appeals may act on the motion before the 10 days expire, if necessary.