

Appendix A.

Official

▪ Sample Civil Appeal Title Page	A-1
▪ Sample Colloquy/Witness Setup	A-2
▪ Sample Completion Certification	A-3
▪ Sample Court Reporter Job Description	A-4
▪ Sample Criminal Appeal Title Page	A-5
▪ Sample Criminal/Civil Nonappeal Title Page	A-6
▪ Sample Exhibit Index for Individual Volume	A-7
▪ Sample Exhibit Receipt	A-8
▪ Sample Master Index on Appeal	A-9
▪ Sample Oath Set up / Interpreter Sworn	A-10
▪ Sample Parentheticals	A-11
▪ Sample Quoted Material/Deposition Reads Into Record	A-12
▪ Sample Realtime Reporter Description	A-13
▪ Sample Reporter Certification	A-14
▪ Sample Rough Draft Disclaimer	A-15
▪ Sample Volume Index on Appeal	A-16
▪ Sample Witness Index	A-17

Note

Anywhere brackets appear on a “Sample,” a decision (replacement or deletion if not applicable) needs to be made by the reporter and the brackets deleted.

Sample Civil Appeal Title Page A-1

1 On the 1st day of January 2007, the official Court
2 Reporter for the {Second|Thirteenth} Judicial District filed
3 in the office of the Clerk of the Court a Transcript of
4 Proceedings on Appeal to the {SUPREME COURT OF NEW
5 MEXICO|NEW MEXICO COURT OF APPEALS}.

6 {SECOND|THIRTEENTH} JUDICIAL DISTRICT COURT
7 COUNTY OF {BERNALILLO|SANDOVAL|VALENCIA}
8 STATE OF NEW MEXICO

9 District Court No. CV-2007-00001
 {Appellate Case Number}

10 JOHN DOE 1, JOHN DOE 2, and
11 JOHN DOE 3,

12 Plaintiffs-Appellees,

13 vs.

VOLUME 1 OF 10

14 JANE DOE,

15 Defendant-Appellant.

16
17 TRANSCRIPT OF PROCEEDINGS

18
19 On the 1st day of January 2006, at approximately 8:59
20 a.m., this matter came on for hearing on a {TYPE OF HEARING}
21 before the HONORABLE {JUDGE'S NAME}, Division XX, Judge of
22 the {Second|Thirteenth} Judicial District.

23 The Plaintiff JOHN DOE 1 appeared in person and by
24 Counsel of Record, {ATTORNEY NAME}, Attorney at Law,
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{ATTORNEY ADDRESS}, Albuquerque, New Mexico 87000.

The Plaintiff JOHN DOE 2 appeared by Counsel of Record,
{ATTORNEY NAME}, Attorney at Law, {ATTORNEY ADDRESS}.

The Plaintiff JOHN DOE 3 appeared in person and *pro se*,
{PARTY'S ADDRESS}, Albuquerque, New Mexico 87000.

The Defendant, JANE DOE, appeared in person and by
Counsel of Record, {ATTORNEY NAME}, Attorney at Law,
{ATTORNEY ADDRESS}, Albuquerque, New Mexico 87000.

Also present, JANE DOE 2, Guardian ad Litem, {ADDRESS},
Albuquerque, New Mexico 87000.

Also present, {ANY OTHER PERSONS PRESENT}.

At which time the following proceedings were had:

Sample Colloquy/Witness Setup A-2

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AUGUST 25, 2006

(NOTE: In Open Court at 10:20.)

THE COURT: Let's go on the record in the City of Albuquerque v. Mike Kassabji. Have I pronounced your name correctly, sir?

MR. KASSABJI: Yes.

THE COURT: CV-2006-6365. If counsel or the parties would enter their appearances for the record, please.

MR. WHEELER: Your Honor, Greg Wheeler for the City of Albuquerque.

THE COURT: Thank you, Mr. Wheeler. Sir, if you can state your name for the record.

MR. KASSABJI: Mike Kassabji, defendant and plaintiff in the countersuit.

THE COURT: All right. Just as a preliminary matter, Mr. Kassabji, I have in front of me some documents that were either mailed or one of them was mailed and one of them was hand delivered to my office. I have a jury demand dated 8/24/06. I have an affidavit of indigency dated 8/16/06. I have a motion for summary judgment to dismiss claim due to lack of merit dated 8/24/06. And I have some requests for hearing on the motion for summary judgment, and I have a document titled counterclaim demanding return of property and payment dated 8/22/06. I need to know if any

TR-2

Sample Colloquy/Witness Setup A-2

1 call our next witness?

2 THE COURT: Yes, please.

3 MR. WHEELER: City calls Tanya Entrikin.

4 MR. KASSABJI: Your Honor, I object to this
5 witness because she's never been in these particular
6 circumstances, and this witness is going to examine about
7 past and future to these incidents.

8 THE COURT: I've got to wait until the witness
9 takes the stand.

10 MR. KASSABJI: Okay.

11 THE COURT: She hasn't even been sworn in yet. If
12 you could raise your right hand, please.

13 TANYA ENTRIKIN,

14 (being duly sworn, testified as follows:)

15 THE COURT: Please state your name once for the
16 record, and then Mr. Wheeler will have some questions for
17 you.

18 THE WITNESS: Tanya Entrikin.

19 DIRECT EXAMINATION BY MR. WHEELER

20 Q. Where do you live?

21 A. 821 Nakomis Street.

22 Q. Is that near Mr. Kassabji's residence?

23 A. Yes. We're just behind him and to the north.

24 Q. How long have you lived there?

25 A. Almost 11 years.

TR-60

Sample Colloquy/Witness Setup A-2

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AUGUST 25, 2006

(Note: In open court at 9:00 a.m.)

THE COURT: She hasn't even been sworn in yet. If you could raise your right hand, please.

TANYA ENTRIKIN,

(being duly sworn, testified as follows:)

DIRECT EXAMINATION BY MR. WHEELER

Q. Where do you live?

A. 821 Nakomis Street.

Q. Is that near Mr. Kassabji's residence?

A. Yes. We're just behind him and to the north.

Q. How long have you lived there?

A. Almost 11 years.

Q. And, if you know, how long has Mr. Kassabji lived in his residence?

A. No, I don't. He's been there as long as we've been there, that I know.

Q. Do you ever smell any odors of urine coming from Mr. Kassabji's residence?

A. Uh-huh, yes, very often we do. You can smell urine. Sometimes you can smell feces, but it's not as strong. But, yes, there is a urine smell.

Q. Could you smell urine on July 30, 2006?

A. It's never gone away, so it's there all of the time.

Q. Do you ever hear Mr. Kassabji's dogs barking?

TR-1

Sample Completion Certification A-3

{Reporters, the Certificate of Completion is filed in the district court for each nonappeal transcript produced. The sample is for a criminal case but is also done in all civil nonappeal cases by using the civil caption and case number.}

THIRTEENTH JUDICIAL DISTRICT COURT
COUNTY OF VALENCIA
STATE OF NEW MEXICO

CR-2000-00001

STATE OF NEW MEXICO,

Plaintiff,

vs.

JOHN DOE,

Defendant.

CERTIFICATE OF COMPLETION OF NONAPPEAL STENOGRAPHIC RECORD

I, {Reporter's Name}, Official Court Reporter for the Thirteenth Judicial District, DO HEREBY CERTIFY that a transcript of proceeding was prepared in the above-entitled case.

The {Type of Proceeding} was held on January 1, 2007 before the HONORABLE {NAME OF JUDGE}, Division #.

Name of Court Reporter
CCR No. 1111

Copies of this transcript may be obtained from the court reporter, {Reporter's Name}, who may be reached at (505) {Phone Number}.

Sample Court Reporter Job Description A-4

COURT REPORTER

This job description is ILLUSTRATIVE ONLY and is not a comprehensive listing of all functions performed.

SUMMARY

Under general supervision, makes a verbatim record of court proceedings, produces transcripts, maintains and retrieves files, assists the public and performs general secretarial duties.

QUALIFICATIONS

High school diploma or GED; successful completion of a court reporting program from an accredited court reporting school; and New Mexico Certified Shorthand Reporter Certification. May require Certified Court Monitor Certification.

Knowledge of proper English usage, grammar, vocabulary and spelling; extensive vocabulary including legal and medical terminology; courtroom procedures; the Rules Governing Recording of Judicial Proceedings; the Rules of Civil and Criminal Procedure; and the Rules of Appellate Procedure.

Ability to sit and write uninterrupted for long periods of time while maintaining complete concentration; operate a steno machine in excess of 225 wpm with 95% accuracy; use recording equipment; operate a computer and use transcription software; troubleshoot errors with transcription equipment; use discretion in the disclosure of confidential information and to maintain confidentiality; analyze and evaluate case files and determine what action is needed; ensure that information is properly identified and/or accurately reported; understand complex and sometimes technical terminology; organize and prioritize workload; and communicate effectively.

EXAMPLES OF WORK PERFORMED

Stenographically records verbatim judicial proceedings. Reads back requested portions of records or notes. Notifies the court of inaudibles and interruptions. Creates an outline and typewritten log of proceedings. Keeps a detailed log, marks, receipts, secures and files all exhibits with the clerk's office.

Transcribes stenographic notes and files by computer-aided transcription to a finished transcript in official format. Edits transcripts for grammar and researches cites, quotes, names and special terminology. Copies, binds and produces transcripts upon request. Invoices parties for transcripts produced. Prepares gross receipts and monthly production reports. Stores, archives and retrieves stenographic notes.

Retrieves and returns files for current cases. Monitors and notes case status in files.

Sample Court Reporter Job Description A-4

Court Reporter
Page 2

Types court orders, letters and dismissals. Sets hearings for petitions. Records and fills out amended orders. Prepares paperwork for restraining orders. Completes and files required internal paperwork. Maintains a stock of office supplies. Enters information into court database.

Answers phones. Greets the public. Gives tours of the court and demonstrations of stenographic equipment. Provides information to court staff, attorneys, inmates, pro se litigants and the public. Maintains computer equipment and stenographic machine.

May perform court monitoring duties; setup jury room and orient jurors; and assist in training court monitors.

ESSENTIAL FUNCTIONS

While performing the duties of this job, the employee is regularly required to sit for long periods of time, stand, walk, talk and hear. The employee is frequently required to read typed and/or hand written material. The employee must occasionally lift and/or move, push or pull up to 25 pounds. The work performed frequently requires close exposure to VDT's, CRT's, UV rays. The work performed frequently requires repetitious hand, arm or finger motions, as well as manual/finger dexterity. The activities of this job may require uninterrupted periods of continuous non-stop typing.

Work is performed in an office and courtroom setting. The noise level in the work environment is usually moderate. The employee may be required to work occasional nights and/or weekends. There are some situations in which the employee may be exposed to unpleasant, hostile or violent situations that arise when dealing with individuals involved in court cases. Employee must be able to regularly interact positively with co-workers and the public. Travel may be periodically required for training, meetings and presentations.

Revised 3/9/98

reporter.jd

1 On the 1st day of January 2007, the official Court
2 Reporter for the {Second|Thirteenth} Judicial District filed
3 in the Office of the Clerk of the Court a Transcript of
4 Proceedings on Appeal to the {SUPREME COURT OF NEW
5 MEXICO|NEW MEXICO COURT OF APPEALS}.

6 {SECOND|THIRTEENTH} JUDICIAL DISTRICT COURT
7 COUNTY OF {BERNALILLO|SANDOVAL|VALENCIA}
8 STATE OF NEW MEXICO

9 District Court No. CR-2000-0000
 {Appellate Case Number}

10 STATE OF NEW MEXICO,

11 Plaintiffs-Appellee,

12 vs.

VOLUME 2 OF 10

13 JANE DOE,

14 Defendant-Appellant.

15
16 TRANSCRIPT OF PROCEEDINGS

17 On the 1st day of January 2006, at approximately 8:59
18 a.m., this matter came on for hearing on a {TYPE OF HEARING}
19 before the HONORABLE {JUDGE'S NAME}, Division XX, Judge of
20 the {Second|Thirteenth} Judicial District.

21 The Plaintiff, STATE OF NEW MEXICO, appeared by Counsel
22 of Record, {ATTORNEY NAME}, Assistant District Attorney,
23 {ATTORNEY ADDRESS}, Los Lunas, New Mexico 87000.

24 The Defendant, JANE DOE, appeared in person and by
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Counsel of Record, {ATTORNEY NAME}, Attorney at Law,
{ATTORNEY ADDRESS}, Albuquerque, New Mexico 87000.

At which time the following proceedings were had:

1 THIRTEENTH JUDICIAL DISTRICT COURT
2 COUNTY OF SANDOVAL
3 STATE OF NEW MEXICO

4 District Court No. CR-2000-0000

5 STATE OF NEW MEXICO,

6 Plaintiff,

7 vs.

8 JANE DOE,

9 Defendant.

10
11 TRANSCRIPT OF PROCEEDINGS

12 On the 1st day of January 2006, at approximately 8:59
13 a.m., this matter came on for hearing on a {TYPE OF HEARING}
14 before the HONORABLE {JUDGE'S NAME}, Division XX, Judge of
15 the {Second|Thirteenth} Judicial District.

16 The Plaintiff, STATE OF NEW MEXICO, appeared by Counsel
17 of Record, {ATTORNEY NAME}, Assistant District Attorney,
18 {ATTORNEY ADDRESS}, Los Lunas, New Mexico 87000.

19 The Defendant, JANE DOE, appeared in person and by
20 Counsel of Record, {ATTORNEY NAME}, Attorney at Law,
21 {ATTORNEY ADDRESS}, Albuquerque, New Mexico 87000.

22 At which time the following proceedings were had:
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Sample Exhibit Index for Individual Volume A-7

I N D E X

EXHIBITS

Page:Line

FOR THE STATE:

1 - Photograph	7:10
2 - Diagram	8:11
3 - Map	10:15
4 - Photograph	15:12
5 - Shotgun	20:13

FOR THE DEFENDANT:

A - Diagram	80:5
B - Photograph	81:10
C - Affidavit	90:5

Sample Exhibit Receipt A-8

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EXHIBIT RECEIPT

SECOND JUDICIAL DISTRICT COURT
COUNTY OF BERNALILLO
STATE OF NEW MEXICO

CR 00-0000

STATE OF NEW MEXICO,

Plaintiff,

vs.

BRIAN ROCKMAN,

Defendant.

RECEIPT FOR EXHIBITS

Received of BEST REPORTER, Official Court Reporter, the following exhibits introduced into evidence on 9-5-06, in the above styled and numbered cause before the HONORABLE DENISE BARELA SHEPHERD, DIVISION XVIII.

PLAINTIFF

DEFENSE

S. Callaway

J. Park

1-4 - Photographs

Court Exhibits

1 - Jury questions

CLERK OF THE DISTRICT COURT

Exhibit Clerk

COURT REPORTER'S NAME, CCR
OFFICIAL COURT REPORTER

Sample Master Index on Appeal A-9

{This index is a listing of all proceedings designated on appeal.}

MASTER INDEX

{Caption of Case}

{District Court Cause Number}

VOLUME 1 - Motion Hearing; Date of Hearing; Name of Reporter

VOLUME 2 - Jury Trial; Date; Name of Reporter

VOLUME 3 - Jury Trial; Date; Name of Reporter

VOLUME 4 - Verdict; Date; Name of Reporter

VOLUME 5 - Sentencing; Date; Name of Reporter

Sample of Oath Setup/Interpreter Sworn A-10

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JOHN DOE,

(being duly sworn, testified as follows:)

DIRECT EXAMINATION BY MR. SMITH

Q. Please state your name for the record, sir.

A. John Doe.

{spanish interpreter, etc.}

NAME,

(being duly sworn, interpreted from Spanish
to English as follows:)

Sample Parentheticals A-11

PARENTHETICALS

This list does not include all parentheticals used in a transcript but are some of the more common ones. Parenthetical remarks are used to clarify some action or to note an activity in the proceeding.

Parentheticals are used when exhibits are admitted into evidence. They are double spaced and begin with the word "Note." Other parentheticals follow.

(Note: Plaintiff's Exhibit #
admitted into evidence.)

(Note: Court in recess at 12:00 p.m.
and reconvened at 1:00 p.m.)

(Note: Beginning of bench conference.)

(Note: End of bench conference.)

(Note: In Open Court at 8:30 a.m.)

(Note: Off the Record Discussion.)

(Note: Jury note handed to the Court.)

(Note: Deposition was read into
the record.)

(Note: Excerpts of the deposition
were read into the record.)

(Note: The jury was excused from
the courtroom.)

(Note: Discussion held outside
the presence of the jury.)

Sample of Quoted Material/Deposition Read Into Record A-12

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SAMPLE OF QUOTED TESTIMONY OR DEPOSITION TESTIMONY

READ INTO THE RECORD:

"QUESTION: what is your current
occupation?

"ANSWER: I'm a sworn police
officer with the Albuquerque Police
Department.

"QUESTION: How long have you
worked for the Albuquerque Police Department?

"ANSWER: Twenty years.

"QUESTION: what is your current
assignment?

"ANSWER: Eastside Narcotics Unit."

Sample Realtime Reporter Description A-13

REAL-TIME COURT REPORTER

This job description is ILLUSTRATIVE ONLY and is not a comprehensive listing of all functions performed.

SUMMARY

Under general supervision, makes an instantaneous verbatim record of court proceedings, produces transcripts, completes required paperwork and maintains dictionary and equipment.

QUALIFICATIONS

Associates degree in court reporting or a high school diploma/GED with completion of a court reporting program from an accredited school; two years court reporting experience; New Mexico Certified Shorthand Reporter Certification; and NCRA Real-Time Certification.

Knowledge of proper English usage, grammar, vocabulary and spelling; extensive vocabulary including legal and medical terminology; courtroom procedures; the Rules Governing Recording of Judicial Proceedings; the Rules of Civil and Criminal Procedure; and the Rules of Appellate Procedure.

Ability to sit and write uninterrupted for long periods of time while maintaining complete concentration and accuracy of not less than 99%; operate a computerized steno machine; operate and troubleshoot computers in the courtroom, as well as the network, case management system and other types of litigation support software and hardware; maintain confidentiality; create stenographic real-time case dictionaries from court file and discovery information; ensure that verbatim transcripts are accurate and certified according to New Mexico Reporter Certification; ensure the accurate marking, logging and filing of exhibits; organize and prioritize workload; communicate effectively both orally and in writing; and train all users on courtroom equipment use and procedures for real-time and litigation support software and hardware.

EXAMPLES OF WORK PERFORMED

Stenographically records verbatim instantaneous transcripts of judicial proceedings by use of real-time software and hardware. Provides paralegal reports and specific transcript information for the court, the counsels and the parties. Troubleshoots all hardware and software problems occurring in the courtroom to ensure all verbatim text is appearing on the computers accurately and appropriately. Marks, logs and files all exhibits.

Creates and maintains case dictionary for each judicial proceeding taken in real-time. Creates stenographic outline for each word not currently in the reporter dictionary. Consistently writes stenographic outline to match job dictionary so that translation to text is accurate and appears in English. Researches all case citations to ensure the accuracy of the citation as it appears on the screen, as well as all medical, technical and legal terminology pertinent to a case being real-timed.

Sets up all hardware and software for CIC/Litigation support application. Trains all users on the system to include network, case management and other litigation support applications.
Troubleshoots all problems with hardware and software problems.

Certifies all real-time transcripts upon final proofreading and editing of the documents. Provides all paralegal reports, excerpts and requested portions of real-time transcripts by certification.

Completes all paperwork, reports and worksheets required by division and courtroom procedure. Maintains licenses and certifications.

ESSENTIAL FUNCTIONS

While performing the duties of this job, the employee is regularly required to sit for long periods of time, walk, talk and hear. The employee is frequently required to reach above the head. The employee is frequently required to read typed and/or hand written material. The employee is frequently required to reach forward with hands and arms. The employee must frequently lift and/or move, push or pull up to 25 pounds. The work performed frequently requires close exposure to VDT's, CRT's, UV rays. The work performed frequently requires repetitive hand, arm or finger motions, as well as manual/finger dexterity.

Work is performed in an office or courtroom setting. The noise level in the work environment is usually moderate. The employee may be required to work occasional nights and/or weekends. There are some situations in which the employee may be exposed to unpleasant, hostile or violent situations that arise when dealing with individuals involved in court cases. Employee must be able to regularly interact positively with co-workers and the public. Employee will frequently work under severe time constraints and meet multiple demands from several people. Employee has direct responsibility for the safety, well-being or work output of other people. Travel may be periodically required for training, meetings and presentations.

Revised 3/9/98

realtime.jd

Sample Reporter Certification A-14

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STATE OF NEW MEXICO)
) ss
COUNTY OF VALENCIA)

I, REPORTER'S NAME, Official Court Reporter for the Thirteenth Judicial District of the State of New Mexico, hereby certify that I reported the proceedings in Cause No. {C}; that the pages numbered { through {, inclusive, are a true and correct transcript of my stenographic notes and were reduced to typewritten transcript through Computer-Aided Transcription; and that on the date I reported these proceedings, I was a New Mexico Certified Court Reporter.

Dated at Los Lunas, New Mexico, this { day of { 2007.

REPORTER'S NAME
New Mexico CCR No. 0000
Expires: December 31, YEAR

The total cost of this transcript
on appeal is \$_____.

REPORTER'S NAME, CRR, RPR, CCR
Official Court Reporter

TR-1

Sample Rough Draft Disclaimer A-15

ROUGH DRAFT DISCLAIMER

The rough draft disclaimer appears at the beginning of a rough draft transcript.

“This rough draft transcript is not finalized, is uncertified and may contain misspelled names and/or nonsensical English word combinations or steno untranslates. All such entries will be corrected on the final certified transcript upon its delivery to you in accordance with our standard delivery terms.

The “Uncertified Rough Draft Copy” is intended only for the purpose of augmenting counsels’ notes and is not intended to be copied, used or cited in any court proceedings or distributed to any other parties.”

Sample Volume Index on Appeal A-16

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I N D E X

WITNESSES

PAGE:LINE

JESSICA SMITH for the State:

Direct Examination by Mr. Scott 3:13
Cross-Examination by Mr. Salazar 75:20
Redirect Examination by Mr. Scott 123:1

ALEJANDRO JARAMILLO for the Defendant:

Examination by Mr. Salazar 4:4
Examination by Mr. Scott 213:14
Reexamination by Mr. Salazar 222:14

Motion for Mistrial by Mr. Salazar 48:18
Response to Motion for Mistrial by Mr. Scott 50:2
Judge's Ruling on Motion for Mistrial 52:23

Reporter's Certificate {Name of Reporter} 70:1

{The sample volume index above lists whatever is contained
in the volume as designated on appeal: Motions, a day of
trial listing the names of witnesses called on that day.
This sample volume index contains witnesses and a motion.}

Sample Witness Index A-17

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I N D E X

WITNESSES

	PAGE
JESSICA CAVASOS for the State:	
Direct Examination by MR. SCOTT	3:13
Cross-Examination by MR. SALAZAR	75:20
Redirect Examination by MR. SCOTT	123:1
Motion for Mistrial by Mr. Salazar	48:18
Motion for Mistrial Denied	49:15
REPORTER'S CERTIFICATE	129:1