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State of Iowa
Transcript Filing Requirements

What you need to know about preparing transcripts for an appeal

Iowa Court Reporter's Association
Midyear Convention
AIB College
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Pre-appeal issues

- Consistently file your **court reporter memorandums** and file them as soon as possible after the hearing is held. They are so critical, and are often the only clue on the docket that a hearing actually occurred. See Iowa R. Civ. P. 1.903(3) (rule); 1.1901 (form, *see attachment A to these materials*).

- If you are the person who ends up with the exhibits at the conclusion of a hearing or trial (and this may be changing with EDMS and reshuffling of staff positions), promptly file exhibits with the clerk's office, and make sure they have sufficient documentation about the case and hearing they came from.

  A list of exhibits on the front of the exhibit envelope or placed inside the envelope is very much appreciated. Detailed labeling on the envelope itself is also appreciated – case name, county name and case number, date of the hearing or trial that the exhibits were received in, maybe a description of the hearing (trial, suppression, etc.). If you prepare separate envelopes for plaintiff's and defendant's exhibits, that can be specifically noted on the respective envelopes as well.

- Keep in mind that **not all ordered transcripts need to be filed** with the district court. If a transcript is ordered from you for purposes other than an appeal, you need to make a decision whether to file the original with the district court or not, and it's something to talk to the ordering party about. If you don't file a copy in district court and the transcript is ordered for an appeal later, just print off a new copy and file it with the supreme court.

Notices of Appeal

Pursuant to Iowa Rs. App. P. 6.102(1)(a)(2) & 6.102(2)(2)(b), a **notice of appeal** should be served by the filing party upon "any court reporter who reported a proceeding that is the subject of the appeal." The district court clerks are also to send a certified copy of the notice of appeal and docket entries (docket report) to "any court reporter who reported a proceeding that is the subject of the appeal." See Iowa R. App. P. 6.802(1).

As you know, service on the court reporters doesn't always happen, frequently due to oversight. But to be fair, the district court clerk may not know which proceedings are "the subject of the appeal," and in some cases, the filer might not know at that point either. The good news is that you are under no obligation to produce a transcript until you are served with a combined certificate.

Q: I received a notice of appeal, but I haven't gotten a combined certificate? What's going on and what do I do?

A: Relax and remember that you're not required to do anything until you are served with a combined certificate. There can be many reasons why you're not receiving a combined certificate:

1) The appellant is appealing a very narrow legal issue for which no transcripts are necessary.
2) The appeal was dismissed soon after it was filed.
3) The parties sought an extension of the combined certificate deadline because they are working on a settlement.
4) There could be a pending motion for appointment of appellate counsel that is delaying the filing of the combined certificate.
5) Someone forgot to serve you with the combined certificate. You can always check on Iowa Courts Online to see if one has been filed with either the district court or the supreme court. If you've never used Iowa Courts Online to search appellate cases, got to the search screen and use the simple search on the left side (appellate). Search by one of the parties' names, click on the case number that pops up, and then click on "docket" to see what's been filed.

Combined Certificates

A combined certificate is a multi-purpose document that establishes some baseline information about an appeal to the appellate courts: who the parties are; who their counsel are or whether they are pro se; whether they are ordering transcripts, and if so, which ones and from whom; whether expedited deadlines are applicable and whether the appeal is from a final judgment or interlocutory order. See Iowa Rd. App. P. 6.804, 6.1401 *(form 2, see attachment B to these materials).*

Frequent issues in combined certificates to watch out for . . .

Problem: **The case title and case number don't match, or the county name or number is wrong.**

Solution: Contact the ordering party for clarification. When the information doesn't match up, it can be hazardous to guess as to what parts actually were correct. Seeking clarification instead of making an assumption as to what was intended can prevent you from spending time producing a transcript that isn't needed. In addition, bringing the error to the filer's attention may prompt them to be more careful in the future.

Problem: **A transcript was ordered from me for a date on which a hearing was held, but the hearing wasn't reported.**

Solution: You can alert the ordering party and tell them they need to send in an amended combined certificate to correct this, but frankly some parties drop the ball on this, and you may end up getting a late notice if they don't inform the court that there isn't a transcript to be had.

If it's the only transcript that was ordered from you, it's probably a safer bet to send a letter to all counsel of record and the supreme court clerk's office so everyone involved knows why you aren't producing a transcript.

However, if multiple transcripts were ordered from you for a particular appeal, and only one or some weren't reported, you can instead include the information about the unreported hearing(s) in your certificate of filing. Specifically state that the following

transcripts were ordered from you and list them by hearing date, and then state what it is you're filing and why you aren't filing the others (i.e., the hearings were not reported).

Problem: **A transcript was ordered from me, but it was reported by someone else.**

Solution: Alert the ordering party and tell them they need to send in an amended combined certificate and make sure the correct reporter is served. However, some parties don't follow through on this, so it's a good idea to pass the combined certificate off to the correct reporter. If you really want to cover your bases, you can send a letter to the parties and the supreme court clerk's office so everyone knows why you won't be filing what was ordered from you.

Alternatively, if you are in a situation where several transcripts are ordered from you, and you reported some, but not all, you can note this information in your certificate of filing – list all the transcripts ordered from you, and then list the ones you are filing, and explain why you aren't filing others. In this situation, you should still be alerting counsel and alerting the correct court reporter.

Problem: **A transcript was ordered from me that I have already prepared and filed with the district court.**

Solution: File a certificate of filing with the supreme court, the district court and all parties and specifically state that the transcript was ordered from you in the combined certificate, but that it was prepared prior to the appeal and was filed in the district court on ____ date. [*see examples– attachments C and D to these materials)*

Problem: **A transcript was ordered from me that I already prepared, but that transcript was never filed with the district court and someone else has the "original."**

Solution: Print off a new copy, include your signature/certification that it is a true and accurate record of the proceedings and file it with the supreme court. The court will not accept the original or any other copy from one of the parties, or anyone other than the reporter (with the exception of a previously filed transcript being transmitted by the

district court clerk). The appellate courts are not particularly concerned about having the "original" transcript. What's important is that the court is getting their copy directly from the reporter who produced it, so that there's no question of it being altered by one of the parties. This protects the integrity and accuracy of the record on appeal.

Problem: **A transcript or transcripts were ordered from me, but none of the dates in the combined certificate are correct.**

Solution: Contact the ordering party for clarification, and encourage them to file an amended combined certificate. If they don't follow through or if the amended combined certificate doesn't really clear up the initial error, please add some extra clarification in your certificate of filing. For example: "*The following transcripts were ordered from me by attorney Jones on September 1, 2013: a May 11, 2013 arraignment and June 15, 2013 pre-trial hearing; however, on this date I am filing a May 10, 2013 transcript and a June 12, 2013 transcript as these reflect the correct hearing dates.*"

Q: Why are there so many incorrect dates in combined certificates?

A: Among the possibilities:

- Filers assume that the filing date of the court reporter memorandum is same as the hearing date, which is not always the case.
- Instead of listing the date of the hearing, filers will sometimes use the filing date of the ruling that resulted from the hearing.
- Simple mistake or typographical error.

When is my transcript due?

Pursuant to Iowa Rule of Appellate Procedure 6.803, you have:

- **20 days** from the service date of the combined certificate to file your transcript when the appeal is challenging a guilty plea or sentencing issue only

- **30 days** from the service date of the combined certificate to file your transcript when the appeal is taken from a chapter 232 child in need of assistance of termination of parental rights case

- **40 days** from the service date of the combined certificate to file your transcript in all other cases

How do I determine when the above deadlines apply?

The party who files the combined certificate is supposed to indicate when expedited deadlines are applicable in section 3 of the combined certificate. (*See combined certificate form – attachment B to these materials*) Be advised that not all the scenarios under that section will result in an expedited deadline for you if they are checked (some just affect the briefing deadlines for the parties). You should only need to check that section in criminal cases to see if the indicate that the appeal is from a conviction and sentence on a plea or a sentence only. You should reasonably be able to rely on that information, and if the section is absent altogether, you should assume that expedited deadlines do not apply.

However, please note that for some reason (probably oversight), the parties are not required to note whether the appeal is from a chapter 232 termination or cina case in the combined certificate form. Those cases do involve a shortened transcript deadline, but those cases are easily identifiable to the court reporter anyway.

Deadlines in criminal cases tend to cause the most confusion. Keep in mind your deadline is not dictated by the *type of hearing* you reported (which is an understandable assumption). Instead, the deadline is dictated by *the type of issues being appealed* (which is why the attorney is supposed to provide this information in section 3).

For example, you may have reported a sentencing hearing in two different cases that have been appealed, but you could have a different deadline for each one. For example:

> In case A, the conviction was a result of a guilty plea, and because the combined certificate indicates that expedited deadlines apply, your deadline to file the sentencing transcript is 20 days from the date of service of the combined certificate.
>
> In case B, the conviction was a result of a trial by jury, and because the combined certificate does not indicate that expedited deadlines apply, your deadline to file the sentencing transcript is 40 days from the date of service of the combined certificate.

Why does my deadline run from the date of service of the combined certificate instead of the date I receive it, or from the date on which I'm paid?

While it may not seem fair to run your deadline from the date of service of the combined certificate if it didn't reach you for a week or more, only you know when you've received something. Because it is important for the court, the parties, and yourself to be able to calculate a clear, agreed-upon deadline, it has to be calculated from a date that is known to all – ergo, we use the service date on the combined certificate. If there is a serious delay in service, that can always be used as a ground for seeking an extension.

With regard to payment, again, only you know when you get paid. If you aren't getting paid, and your deadline is approaching, file an **application for extension of time** (*see attachment E to these materials)*, and specifically state that lack of payment is the problem. This will prompt the supreme court to issue an order directing the appellant to pay you by a date certain or the appeal will be dismissed. <u>We do not recommend you file a transcript before you are paid and the supreme court doesn't expect you do to so</u> (with the exception of those transcripts for which you've got an order saying the state will pay you – those should be pretty guaranteed). There's nothing the court can do for you after you've filed it and it becomes a public record. At that point, your remedy lies in small claims.

What if I need more time?

File an **application for extension of time** (*see attachment E to these materials)*, and be specific as to your circumstances (i.e., this was a 2 week trial, I have a backlog of priority transcripts to do first, I'm about to have surgery and will be out for 3 weeks, etc.). Always give the court an estimate of when you think you can have the transcript(s) complete.

I received a late notice – what do I do?

First, don't panic. But don't ignore the notice.

The court is aware that sometimes there is a perfectly good reason why the transcript is late – like when a court reporter wasn't served with the combined certificate. The notice will have a deadline by which you need to file either the completed transcript or an application for extension of time (this is usually between 10-14 days).

If you get a late notice and you were not only not served with the combined certificate, but it turns out you didn't report any of the ordered transcripts, you can just send a letter to the court and the parties letting them know.

Format and Content of the Transcript

Rule 6.803(2) dictates the form, layout, font, and format that should be followed. Most reporters follow these provisions consistently.

Of special note, rule 6.803(2)(d) states that transcripts shall include an **index of witnesses and exhibits**. This is not being included in all transcripts received by the court, and is a really critical, time-saving component. Whether or not a particular exhibit was offered, received, or rejected, is often a key factor on appeal. To have an index that allows a party or judge to quickly locate that information with a page number reference is incredibly valuable.

To Scrunch or not to Scrunch?

It's completely up to you as far as the transcript you file with the court. Keep in mind, however, that some parties prefer one to the other, so you should try to accommodate their particular requests for their copies.

Labeling Volumes

Clarity should be the guiding principle here. In addition to providing the hearing date, if it is a suppression hearing, it helps if you include that information in the caption section or include it in your statement below that provides the hearing date.

If you are only filing one volume, don't label it as Volume I – it leads people to believe that there are other volumes to be had.

If you are filing multiple volumes of a single proceeding (like trial), then by all means label them as Volume I of IV, Volume II of IV, etc.

If you are one of multiple reporters who reported a trial, and you are trying to coordinate your volumes, you know it is sometimes difficult to predict how many volumes each of you will end up producing, and where yours will fall in the mix. Because sometimes the estimates are wrong, it is a very good idea to include not only the time that the record opens and closes at the beginning and end of your reporting, but also the date. That way the court (and the parties) can really tell if something is missing or not.

Putting multiple transcripts in one binder

If you have several hearings ordered for you for an appeal (and all are from the same district court case), feel free to include multiple hearings in one binder. However, please use tabs or some means of alerting the court and the parties who receive copies that multiple hearings are included. Inserting a colored page between each hearing is also acceptable, but tabs are best. Also, post-its are usually not durable enough to use as tabs – use plastic ones that will adhere well and go the distance.

Special note – it is not advisable to include transcription from other reporters in your binder, unless they reported a small portion of a large trial that you did the majority of. If this happens, make sure the other reporter files his or her own certificate of filing so the court and parties are alerted that their portion is complete. The general assumption is that whatever is in a binder is strictly the work of the reporter whose name appears on the front.

Q: What happens when a transcript is ordered from a joint hearing (like with co-defendants)? Do I put both case captions and case numbers on it?

A: Yes. Indicating that the hearing relates to more than one case is important for a variety of reasons. Your certificate of filing should also include both case captions and case numbers. Even if one of the cases isn't on appeal, it is still important to have documentation in the district court file that a transcript has been produced from a hearing from those cases.

Q: If a joint hearing is ordered from me and both/all the involved cases are on appeal (and the hearing is ordered in each one), do I need to file just one copy of the transcript, or one for each case?

A: It depends. In some instances, the cases have been consolidated under one appeal number, so it would make sense to file only 1 copy. In other instances, the appeals have separate numbers, and it makes sense to file a copy in each case, because it's sometimes difficult for the transcript to be shared. However, when the transcript in question is really large, or multiple volumes, the court is willing to share a copy to save space and trees.

Certificate of Filing

A certificate of filing is **required** to be filed by a court reporter with all transcripts produced for an appeal pursuant to 6.803(2)(e). The form is located in rule 6.1401 (form 8) (see attachment F to these materials). The certificate is also to be served upon all parties of record and the clerk of the district court (the latter so that there is a record on file in district court that a transcript has been produced).

It you are filing multiple transcripts in one appeal, you do not need to file a certificate with each transcript – a **single certificate** that lists all your transcripts is fine.

The certificate is intended to be a separate filing, so please do not include it within the binding of your transcript.

Clarity is Critical

While it takes a few extra keystrokes, adding some **detailed description** to your certificates can save you time in the long run, and save time for all users of your transcripts. Specifying exactly what was ordered from you, and what you are specifically filing, is what is anticipated by the form in the rules. Don't include something generic like: "I certify that on the 10th of October, 2013, I filed the following transcript(s) with the Clerk of the Supreme Court: State v. John Smith, Polk County case number ___)" – that statements doesn't tell us which transcripts you are filing, it just tells us the case they are from.

If you can also add some explanation as to why you aren't filing other proceedings that were ordered (i.e., hearings were not reported, you weren't the reporter, dates were wrong in the combined certificate, etc.), that will keep you from having to answer inquiries down the road, and can also keep you from getting late notices when you've actually produced everything you can. An excellent example of this can be found in attachment D to these materials.

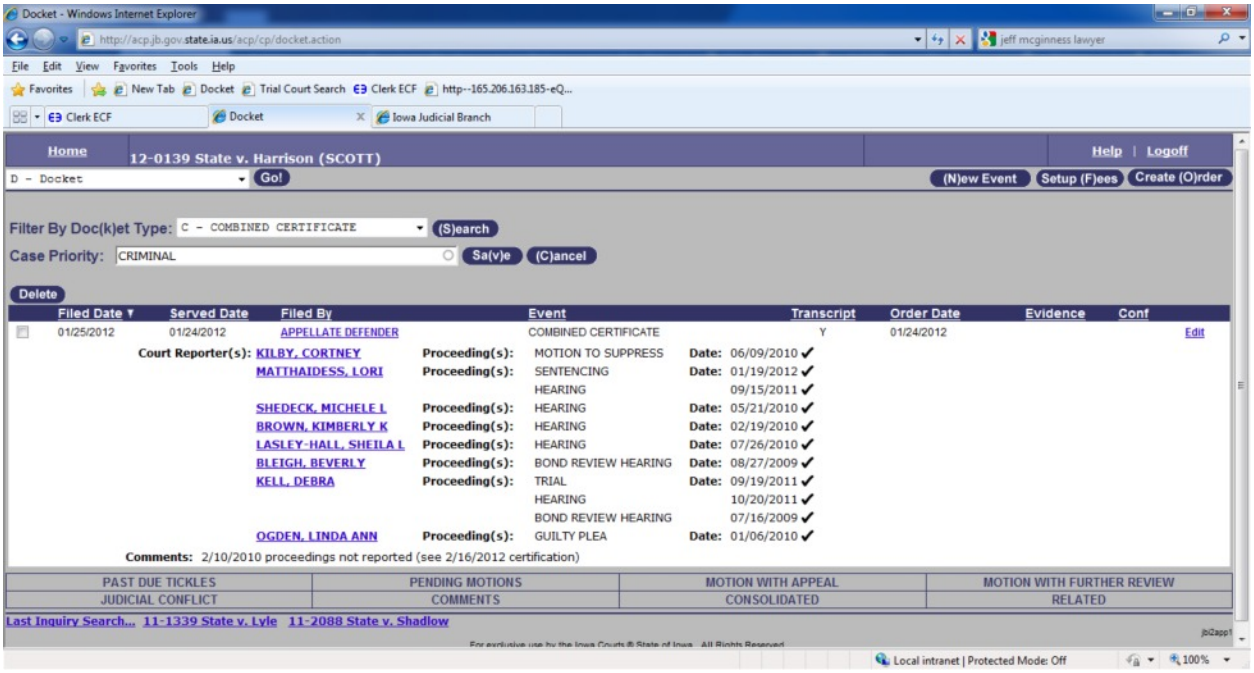
In addition to using tabs, your certificate of filing can also help alert the court and parties that a single binder includes multiple hearings.

What happens to the transcripts after filing?

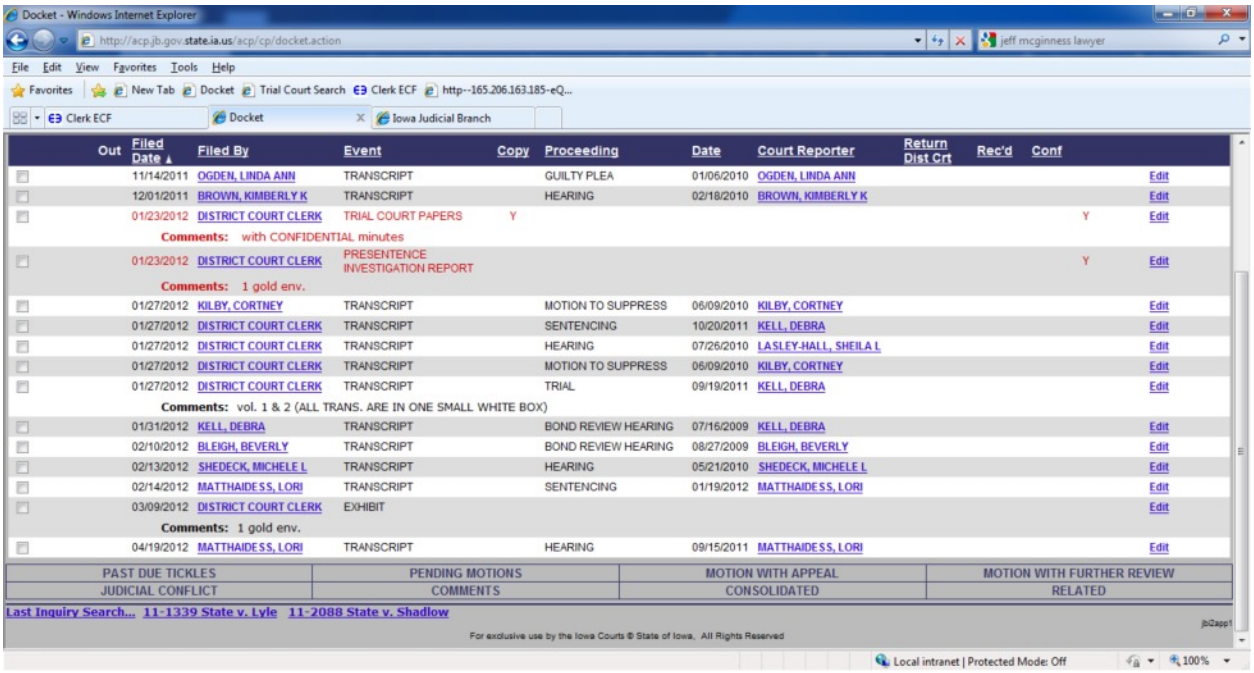
Transcripts are docketed on the appellate courts' docket to record that they have been received. This is done with all filings, but it's particularly important that district court records, including transcripts, are shown as received so the litigants know that the court has the appropriate records to review on appeal.

The docketing software used at the appellate level is called ACP (appellate case processing). It is the appellate equivalent of ICIS2. When a combined certificate is filed, a docketing clerk enters detailed information including, among other things the dates of the hearings ordered, a description of each proceeding (if available), and the name of the court reporter from whom it is being ordered.

An example of a typical criminal appeal is shown below. As each transcript is received, the docketing clerk comes back to the screen to mark the transcripts as complete (indicated by the check marks to the right of the hearing date.



This data is duplicated on a screen that shows all trial court record, including transcripts that have been received on a given case:



When the clerk's office is satisfied that all transcripts ordered in the combined certificate are complete, then the court can issue a briefing notice and the appeal can proceed to the next stage. If there is any discrepancy between what was provided in the combined certificate and what was received, the clerk's office will be contacting the court reporters and/or counsel to see if something is missing, or if there was an error in the combined certificate, etc.

During the course of the appeal, the transcripts may be reviewed clerks, law clerks, paralegals, staff attorneys, appellate counsel, judges and justices, members of the public, or journalists (the latter two only if the cases are not confidential).

At the conclusion of the appeal, all district court records, including transcripts, are returned to the appropriate district court clerk. No transcripts are retained at the supreme court. Because the transcripts are records of district court proceedings, in the long run they belong with the district court's records.

Miscellaneous Item of Note

- Do not include copies of exhibits with your transcript. While this may be a common practice for deposition work, it's not appropriate for transcripts filed with the supreme court. The court will get the original or certified copies of exhibits from the district court, who will also alert the court to confidential or sealed matters. You don't want to include confidential exhibits that the court may not notice in the back of a transcript that would otherwise be a public record. The risk would be that the court would allow access to someone who shouldn't see those exhibits.

Rule 1.1901 — Form 12: *Court Reporter Memorandum and Certificate.*

IN THE IOWA DISTRICT COURT FOR _____ COUNTY

_____ Plaintiff/Petitioner, vs. _____ Defendant/Respondent.	No._____ **COURT REPORTER MEMORANDUM AND CERTIFICATE**

COURT REPORTER MEMORANDUM

(The court reporter shall file this memorandum with the district court clerk.)

Appearances:

For Plaintiff/Petitioner _____

For Defendant/Respondent _____

Other _____

Information required by Iowa Rule of Civil Procedure 1.903(3):

I _____ (*insert name*) am providing the following information as required by Iowa Rule of Civil Procedure 1.903(3):

1. The type of proceeding that was reported:_____
_____

2. The date(s) on which the proceeding occurred:_____
_____

3. The name of the court reporter who reported the proceeding:_____
_____

4. The name of the judge who presided over the proceeding:_____
_____

5. The reporting fee for the proceeding:_____
_____

6. We, the undersigned judge before whom the above-entitled case was tried, and the official court reporter who, by order of the court, reported the same, do hereby certify that the above and foregoing is the report of the whole proceedings upon the trial and/or hearing of the above-entitled cause made and take pursuant to the order and direction of the court,

ATTACHMENT A

in accordance with Iowa Code section 624.10.

DATED this ___ day of _____, ___.

_____
(Signature of Court Reporter)

_____
(Signature of Judge)

[Court Order July 31, 2008, effective October 1, 2008; August 10, 2009, effective October 9, 2009]

Rule 6.1401 — Form 2: ***Combined Certificate.***

IN THE SUPREME COURT OF IOWA

(Insert supreme court caption.) No. _____ *(supreme court case number)*

COMBINED CERTIFICATE

(See Iowa R. App. P. 6.804.)

1. Notice of appeal was filed in district court on _____ *(date)* from a judgment or ruling filed on _____ *(date)*.

2A. I hereby order a transcript or portions thereof on the _____ day of _____, 20___,[1] from:

(1) _____ _____
(court reporter name) *(address)*

(2) _____ _____
(court reporter name) *(address)*

No arrangements have been made or suggested to delay the preparation thereof.

Financial arrangements have been made with the reporter(s) in accordance with Iowa R. App. P. 6.803(5). Payment (____ will be) (____ has been) made by

_____ private funds

_____ court-ordered funds *(attach a copy of the order appointing appellate counsel)*

The following proceedings are ordered:[1]

(1) _____
(describe parts ordered) before _____ *(judge)* on _____ *(date of hearing/trial)*.

(2) _____
(describe parts ordered) before _____ *(judge)* on _____ *(date of hearing/trial)*.

—OR—

2B. I need not order a transcript under Iowa R. App. P. 6.804(2) because:

_____

_____

_____

I (____ will) (____ will not) prepare a statement of the evidence or proceedings pursuant to Iowa R. App. P. 6.806.

2C. [*To be completed by appellant if less than full transcript is ordered.*]

The issues appellant(s) intends to present on appeal are:

I.

II.

III.

[1]This certificate shall be used to order the transcript. *See* rule 6.803(1).

ATTACHMENT B

FAILURE TO SPECIFY IN ADEQUATE DETAIL THOSE PROCEEDINGS TO BE TRANSCRIBED, OR FAILURE TO MAKE PROMPT SATISFACTORY ARRANGEMENTS TO PAY FOR THE TRANSCRIPT, ARE GROUNDS FOR DISMISSAL OF THE APPEAL.

3. If Iowa Rs. App. P. 6.303(2), 6.803(3), or 6.902(1) apply to this case, check category:

_____ A contest as to custody of children, an adoption, or a juvenile proceeding affecting child placement.

_____ A termination of a parent-child relationship under Iowa Code chapter 600A.

_____ A conviction and sentence on a plea of guilty or a sentence only.

_____ A certified question of law under Iowa Code chapter 684A.

_____ A lawyer disciplinary matter.

_____ Involuntary mental health commitments under Iowa Code chapter 229.

_____ Involuntary substance abuse commitments under Iowa Code chapter 125.

4. I assert in good faith that this appeal meets jurisdicitional requirements and is from:

_____ A final judgment, order, or decree and a timely notice of appeal has been filed.

—OR—

_____ A ruling entered in advance of a final judgment and permission to appeal has been granted by the supreme court.

5. The names of the parties involved in this appeal and their designations in district court are shown below under column A. Their respective attorneys' names, law firms, addresses, and telephone numbers are shown below under column B:

Column A Parties	Column B Attorneys
Appellant(s):	
Appellee(s):	

_____

(signature of appellant or appellant's attorney)
Name, address, telephone number, fax number, and e-mail address of appellant or appellant's attorney.

CERTIFICATE OF SERVICE

The undersigned certifies a copy of this combined certificate was served on the _____ day of _____, 20____, upon the following persons and upon the clerk of the supreme court *(list the names and addresses of the persons below and indicate the manner of service).*

_____

(signature of person making service)

[Court Order October 31, 2008, effective January 1, 2009]

FILED
NOV 06 2013
CLERK SUPREME COURT

IN THE SUPREME COURT OF IOWA

STATE OF IOWA,	) Supreme Court No. 13-1267
Plaintiff,	) District Court No. FE265511
vs.	) REPORTER'S CERTIFICATE OF
RICCO RILEY,	) FILING A TRANSCRIPT
Defendant.	) (See Iowa R. App. P. 6.803(2)(e))

I hereby certifiy that on the 31st day of October, 2013, Jamie Hunter ordered the following transcript(s): Transcript of Preliminary Hearing taken 4/22/13 in the above-captioned matter by serving a copy of the combined certificate.

I further certify that on the 1st day of September, 2013, I filed the following transcript(s): Transcript of Preliminary Hearing taken 4/22/13 with the Clerk of the District Court. I further certify that on November 4, 2013, I requested the Clerk of the District Court forward the above transcript to the Clerk of the Supreme Court.

CATHERINE D. MILLS, RPR, CSR
1208-20th Street
West Des Moines, Iowa 50265
(515)-508-0187

2013 NOV -4 AM 9:56
CLERK DISTRICT COURT

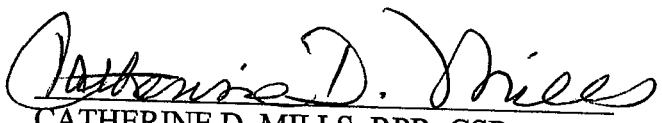
ATTACHMENT C

CERTIFICATE OF SERVICE

The undersigned certifies a copy of this Reporter's Certificate was served on the

4th day of November, 2013, upon the following persons and upon the

Clerk of the Supreme Court, 1111 E. Court Ave., Des Moines, IA 50319 - interoffice mail
Clerk of the District Court for Polk County, 500 Mulberry, Des Moines, IA 50309 - hand delivered
Jamie Hunter, 301 Walnut, Suite 1, Des Moines, IA 50309 - hand delivered
Andrea Petrovich, Assistant County Attorney, 206 Sixth Avenue, Des Moines, IA 50309 - hand delivered



CATHERINE D. MILLS, RPR, CSR

13-1637

FILED
NOV 04 2013
CLERK SUPREME COURT

IN THE SUPREME COURT OF IOWA

STATE OF IOWA,	)	
	)	
Plaintiff,	)	Supreme Court No.
	)	Scott County District Court No. FECR 341001
vs.	)	
	)	REPORTER'S CERTIFICATE OF
HOLLY ANN JOHNSON,	)	FILING A TRANSCRIPT
	)	(I.R.App.P. 6.802(2)(e))
Defendant.	)	

I hereby certify that on the 24th day of October, 2013, State Appellate Defender Mark C. Smith ordered the following transcripts: **(1)** 12/07/12 Hearing Re: Discovery of Confidential Records; **(2)** 01/25/13 Hearing on Motions; **(3)** 06/28/13 Hearing on Motion to Compel Independent Psychological Examination of Complaining Witness; and **(4)** 8/16/13 Guilty Plea Proceedings in the above-captioned matter by serving a copy of the combined certificate.

I further certify that on the 30th day of October, 2013, I filed Transcripts (1), (2), and (3) indicated above with the Clerk of the Supreme Court. Transcript (4) above (Transcript of Guilty Plea Proceedings) was filed with the District Court Clerk on August 30, 2013.

Michelle R. Munck

Michelle R. Munck, Court Reporter
Clinton County Courthouse
612 North Second Street
Clinton, IA 52733-2957
(563) 243-6213, Ext. 4319
michelle.munck@iowacourts.gov

CERTIFICATE OF SERVICE

The undersigned certifies a copy of this reporter's certificate was served on the 30th day of October, 2013, upon the Clerk of the Supreme Court and mailed or placed in the mailbox upon the following persons: State Appellate Defender Mark C. Smith, Fourth Floor Lucas Building, 321 East 12th Street, Des Moines, Iowa 50319; Attorney General's Office through Melisa Zaehringer, Assistant Scott County Attorney, Scott County Courthouse, 400 West Fourth Street, Davenport, Iowa 52801-1104; and Julie Carlin, Clerk of Court, Scott County Courthouse, 400 West Fourth Street, Davenport, Iowa 52801-1104.

Michelle R. Munck

Michelle R. Munck, Court Reporter

NOTE: RULE 6.803(3) REQUIRES THIS CERTIFICATE TO BE FILED AS A SEPARATE DOCUMENT AND TO BE SERVED ON THE PARTIES OF RECORD AND THE CLERK OF THE DISTRICT COURT.

ATTACHMENT D

Rule 6.1401 — Form 9: ***Reporter's Application for an Extension of Time to File a Transcript.***

IN THE SUPREME COURT OF IOWA

(Insert supreme court caption.)

Supreme Court No._____

REPORTER'S APPLICATION FOR AN EXTENSION OF TIME TO FILE A TRANSCRIPT

(See Iowa R. App. P. 6.803(3)(*c*))

1. I hereby certify that on the _____ day of _____, 20___, _____ *(name of attorney or party)* ordered the following transcript(s)

_____

_____

_____

_____

_____

in the above captioned matter by serving a combined certificate.

2. The deadline for filing the transcript(s) with the clerk of the supreme court is the _____ day of _____, 20___.

3. I am unable to file the transcript(s) on the date required because

_____

_____

_____

_____

_____

(If the transcript(s) cannot be filed by the due date because the party ordering it has not complied with the arrangements made to pay for the transcript(s), you must state what arrangements for payment of the transcript(s) were made under rule 6.803(5).)

4. I will be able to complete and file the transcript by the _____ day of _____, 20___.

WHEREFORE, the undersigned requests the court to grant the undersigned more time to file the transcript(s) in the above captioned matter.

or

WHEREFORE, the undersigned requests the court to enter an order requiring the person who ordered the transcript(s) to pay for the transcript(s) as previously arranged under rule 6.803(5) and set a date as to when the transcript(s) shall be filed.

_____

(signature of court reporter)
Name, address, telephone number, and e-mail address of court reporter

ATTACHMENT E

Rule 6.1401 — Form 8: ***Reporter's Certificate of Filing a Transcript.***

IN THE SUPREME COURT OF IOWA

(Insert supreme court caption.)

Supreme Court No._____

District Court No. _____

REPORTER'S CERTIFICATE OF FILING A TRANSCRIPT

(See Iowa R. App. P. 6.803(2)(*e*))

I hereby certify that on the _____ day of _____, 20____, _____ *(name of attorney or party)* ordered the following transcript(s)

_____

_____

_____

_____

_____

in the above captioned matter by serving a copy of the combined certificate. I further certify that on the _____ day of _____, 20____, I filed the following transcript(s)

_____

_____

_____

_____

_____

with the clerk of the supreme court.

_____

(signature of court reporter)
Name, address, telephone number, and e-mail address of court reporter

CERTIFICATE OF SERVICE

The undersigned certifies a copy of this reporter's certificate was served on the _____ day of _____, 20____, upon the following persons and upon the clerk of the supreme court *(list the names and addresses of the persons below and indicate the manner of service).*

_____

(signature of person making service)

NOTE: RULE 6.803(3) REQUIRES THIS CERTIFICATE TO BE FILED AS A SEPARATE DOCUMENT AND TO BE SERVED ON THE PARTIES OF RECORD AND THE CLERK OF THE DISTRICT COURT.

[Court Order October 31, 2008, effective January 1, 2009]

ATTACHMENT F