

**NOTICE OF APPEAL – SUPPORT PROCEEDING**

Commonwealth of Virginia VA. CODE §§ 16.1-296, 16.1-298

Case No. ....

..... Juvenile and Domestic Relations District Court  
CITY OR COUNTY

..... Date of Final Order or Judgment

..... v. /In re. ....

Appellant: .....  
NAME AND ADDRESS

Appealed to the ..... Circuit Court .....  
CITY OR COUNTY TELEPHONE NUMBER

.....  
STREET ADDRESS

Date and Time of Appearance in Circuit Court: ..... for [ ] Trial [ ] Setting of Trial Date  
I, the undersigned, note an appeal to the following conviction, judgment or final order:

[ ] **CIVIL SUPPORT PROCEEDINGS:** (excluding civil contempt finding for nonpayment of support): .....

I understand that the order of judgment from which I appeal remains in full force and effect until modified or annulled by the Circuit Court. If the order being appealed adjudicates or establishes an arrearage, an appeal bond for the arrearage, as described below, is required.

[ ] **CRIMINAL NONSUPPORT:** Appeal of conviction and order of support. I understand that the order of support from which I appeal remains in full force and effect until modified or annulled by the Circuit Court. An appearance bond and/or accrual bond, if ordered, is described below.

[ ] **CIVIL CONTEMPT:**

- [ ] Appeal of finding of contempt. An appearance bond and/or accrual bond, if ordered, is described below.
- [ ] Appeal of order establishing support arrearage. An appeal bond for the arrearage required and described below.

[ ] **CRIMINAL CONTEMPT:**

- [ ] Appeal of conviction. An appearance bond and/or accrual bond, if ordered, is described below.
- [ ] Appeal of order establishing support arrearage. An appeal bond for the arrearage required and described below.

I understand that this appeal may be withdrawn at any time prior to the hearing date set for my case (see additional information on second page). I promise to appear before the Circuit Court of this jurisdiction on the date and time as shown above.

..... DATE ..... APPELLANT/ATTORNEY FOR APPELLANT

By order of the Court, bond is required as follows:

An appeal bond for the arrearage in the amount of \$ ..... must be posted with the clerk of the juvenile and domestic relations district court within thirty (30) days of the entry of the judgment for the appeal to be completed (perfected) (Form DC-460, CIVIL APPEAL BOND). The Appellant's failure to do so, as required by law, will result in the loss of the right to appeal. The appeal bond for the arrearage will be written to indemnify ..... the party in whose favor a judgment was rendered in this court in the event that such party is awarded a judgment by the Circuit Court.

[ ] An accrual bond in the amount of \$ ..... to secure the payment of prospective support while the appeal is pending is ordered and must be posted with the juvenile and domestic relations district clerk within thirty (30) days of contempt finding/conviction or nonsupport conviction (Form DC-460, CIVIL APPEAL BOND). If the bond is not posted within thirty (30) days and the defendant has been released from jail, a capias may be issued for failure to abide by the conditions of bail.

[ ] An appearance bond in the amount of \$ ..... [ ] unsecured [ ] secured to ensure appellant's appearance is ordered (Form DC-330, RECOGNIZANCE). Further conditions of release: .....

..... DATE ..... CLERK

***See second page for additional important information.***

**NOTICE:** Promptly communicate with the Clerk of the Circuit Court of this jurisdiction concerning the subpoenaing of witnesses and any need for interpreters, whether you wish to request a jury trial, and, for criminal cases, concerning your right of representation by a lawyer if you do not have a lawyer. If your case is scheduled for trial, you **MUST** be present and ready for trial at the “date and time of appearance” shown on the front of this form.

**WARNING:** In criminal cases, you are subject to trial and conviction in your absence if you fail to appear for your case in the Circuit Court. Failure to appear shall be deemed a waiver of your right to trial by jury in this case. Failure to appear may also constitute a separate criminal offense.

**WITHDRAWAL OF APPEAL IN CIVIL CASES:** If this appeal is withdrawn within ten (10) days after entry of the judgment or order when no appeal bond or costs are required to perfect the appeal, or before being “perfected” by posting required appeal bond or paying required costs, no additional costs will be taxed against you. After ten (10) days or after the appeal is “perfected” by posting the required appeal bond or paying required costs, in accordance with § 16.1-106.1, any withdrawal of the appeal must occur in Circuit Court. Upon withdrawal of the appeal in Circuit Court, additional costs will be incurred and any cash bond posted to perfect the appeal may be disbursed.

**WITHDRAWAL OF APPEAL IN CRIMINAL CASES:** If this appeal is withdrawn within ten days after conviction in the juvenile and domestic relations district court, no additional costs will be taxed against you; otherwise, additional costs will be incurred in the Circuit Court. After ten days, any withdrawal of the appeal must occur in Circuit Court. In criminal cases, upon withdrawal of this appeal, you must comply with the terms of the sentence.

**WITHDRAWAL OF APPEAL**

I, the undersigned, withdraw my appeal in this case.

.....  
DATE

\_\_\_\_\_  
APPELLANT

by \_\_\_\_\_  
ATTORNEY FOR APPELLANT