Model Petition for Review (OCGA § 5-3-7 (e))
(MS Word version available at: jcaoc.georgiacourts.gov/hb916)

IN THE [SUPERIOR/STATE] COURT OF _____ COUNTY

STATE OF GEORGIA

_____,	)	
	)	
Petitioner,	)	
	)	Reviewing Court Case No.:
v.	)	_____
	)	
_____,	)	
	)	
Respondent.	)	

PETITION FOR REVIEW TO [SUPERIOR/STATE] COURT

_____, the Petitioner named above, petitions the [Superior/State] Court of _____ County for review of the final judgment rendered by the [insert official name of lower judicatory] on [insert date] with the following case number designated by the lower judicatory: _____.

Concise Statement of the Final Judgment Appealed
OCGA § 5-3-7 (e) (3) (B)

The final judgment being appealed is as follows: _____
_____
_____
_____
_____.

Record in the Lower Judicatory
OCGA § 5-3-7 (e) (3) (C)

The following describes any existing recording, transcript, or other record of evidence in the lower judicatory (check one):

☐ NO official transcript or recording exists of the proceedings in the lower judicatory.

☐ NO official transcript exists of the proceedings in the lower judicatory, but the proceedings were recorded by: [insert who recorded the proceedings and whether audio or video].

☐ An official transcript exists of the proceedings in the lower judicatory.

☐ Other: [describe other record of evidence in the lower judicatory]_____.

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Notice of Petitioner's Confinement or Incarceration
OCGA § 5-3-7 (e) (3) (D)

☐ This is a criminal case and the Petitioner named above [is not confined in jail or otherwise incarcerated / is currently confined or incarcerated at (location)]. The offense[s] and the sentence prescribed by the lower judicatory in this case are as follows:

_____

_____.

Applicable Standard of Review
(Check one)

☐ A limited review on the record is the default standard of review in a petition for review and a de novo (new) trial is not specified in the OCGA as the applicable standard of review for this type of case. Therefore, this Petition for Review seeks judicial review for clearly erroneous findings of fact and credibility, abuse of discretion, sufficiency of evidence, and de novo review of questions of law. OCGA § 5-3-5 (a). Additional details regarding the issues for review are attached.

☐ A de novo proceeding is specified in OCGA § _____ as the applicable standard of review for this type of case. Therefore, this Petition for Review seeks a de novo (new) trial of all the issues raised in the lower judicatory with NO REMAND. OCGA § 5-3-5 (b).

This ____ day of _____, 20___.

Signature: _____

I am the (check one):
☐ Petitioner ☐ Attorney for Petitioner

Printed Name: _____

Mailing Address:

_____

_____

_____

Telephone Number: _____

E-mail Address: _____

July 2023