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**21453 b vc  
Trial by Written Declaration  
Sample Letter  
See Below**

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NAME OF COURT: SUPERIOR COURT OF CALIFORNIA STREET ADDRESS: MAILING ADDRESS: 123 Court Street CITY AND ZIP CODE: Court City, CA 12345 BRANCH NAME:	<i>FOR COURT USE ONLY</i>
<b>PEOPLE OF THE STATE OF CALIFORNIA</b> <b>VS.</b>	
DEFENDANT: John Doe	
<b>REQUEST FOR TRIAL BY WRITTEN DECLARATION</b> (Vehicle Code, § 40902)	

**TO BE FILLED OUT BY COURT CLERK**

CITATION NUMBER: 123456SV
CASE NUMBER:

A. <b>DUE DATE</b> (for receipt of this form and any unpaid bail) ( <i>specify</i> ):
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- B. Bail amount required: \$
- C. Bail amount already deposited by defendant: \$
- D. Date mailed or delivered by clerk:
- E. Mail or deliver completed form, evidence, and mail to the Clerk of the (*specify*): Court at (*mailing address*):

**REQUEST FOR TRIAL**

1. I have reviewed the *Instructions to Defendant (Trial by Written Declaration)* (form TR-200).
2. I request to have a trial by written declaration.
3. The facts contained in the Declaration of Facts on the reverse are personally known to me and are true and correct.
4. I know that I have the right not to be compelled to be a witness against myself. I understand and agree that by making any statement, I am giving up and waiving that right and privilege.
5. **EVIDENCE** The following evidence supports my case and includes everything I want the court to consider in deciding my case:
  - a.  photographs (*specify total number*):
  - b.  medical record
  - c.  registration documents
  - d.  inspection certificate
  - e.  diagram
  - f.  car repair receipt
  - g.  insurance documents
  - h.  other (*specify*):

(Declaration continued on reverse)

PEOPLE v. DEFENDANT (Name): <b>John Doe</b>	CASE NUMBER:
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6. DECLARATION OF FACTS (Type or print only. State what happened and explain all the items of evidence you checked in item 5 on the reverse and tell how they support your case. You may add additional pages.)

(Name): **John Doe**

(Current mailing address):

**123 My Street, My City, CA 12345**

**STATEMENT OF FACTS** (begin here):

**Your Honor, I respectfully request that this citation be dismissed based on the statement as set forth herein. Moreover, kindly accept this correspondence as my formal plea of not guilty.**

**I received a Notice of Traffic Violation in the mail from the Automated Red Light Enforcement. The notice indicated failure to stop at the red light in violation of California Vehicle Code Section 21453(b). On Sunday, May 7, 2017, I was traveling southbound on A Drive towards East B Boulevard. On said day and location, .....**

***Explain the reasons for which you believe the ticket should be dismissed. The explanation must be clearly written with factual, technical or legal arguments to justify the dismissal of the ticket.***

***In order to formulate a CVC 21453 (b) defense statement, it is important for the defendant to address issue based on method of enforcement (officer issued or red-light camera).***

***Here are the red-light ticket related issues:***

- 1. Traffic signal timing***
- 2. Visibility***
- 3. Signage***
- 4. Yellow time***
- 5. Street geometry***
- 6. Line of sight***
- 7. Weather conditions***

***Each of these issues has a different defense strategy. Basically, the defendant must have enough knowledge about each of these issues to prepare a clear statement and identify the reasons for which the red-light ticket should be dismissed. However, to clearly present an argument it is necessary to have the knowledge about traffic signals and red-light enforcement.***

7. Number of pages attached: \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

**John Doe**

(TYPE OR PRINT NAME)



**John Doe**

(SIGNATURE)