

## **Rule 3.05**

### **APPEAL ON AGREED STATEMENT**

In place of the record on appeal as defined in Rule 3.01, the parties may prepare, sign, and submit to the district court no later than 21 days after filing the notice of appeal a statement of the case showing how the issues presented by the appeal arose and were decided in the district court. The statement must set forth only those facts asserted and proven or sought to be proven that are essential to the appellate court's resolution of the issues. The statement must include a copy of the judgment appealed from, a copy of the notice of appeal with its filing date, and a concise statement of the issues raised. If the statement is truthful, it— together with any additions that the district court may consider necessary to a full presentation of the issues on appeal—must be approved by the district court. The statement then must be filed with the clerk of the district court and constitutes the record on appeal in lieu of the record specified in Rule 3.02.

**[History:** Am. effective March 6, 1978; Restyled rule and amended effective July 1, 2012.]