

Corrective Order to Rule Change #2001(7)

**Chapter 32. Colorado Appellate Rules
Appeals From Judgments and Orders of ~~the~~
Trial Courtsu and Agencies**

Rule 4. Appeal as of Right—When Taken

(a) [*** NO CHANGE]

(b) Appeals in Criminal Cases.

(1) Except as provided in Rule 4(~~ee~~), in a criminal case the notice of appeal by a defendant shall be filed in the appellate court and an advisory copy served on the clerk of the trial court within forty-five days after the entry of the judgment or order appealed from. A notice of appeal filed after the announcement of a decision, sentence, or order but before entry of the judgment or order shall be treated as filed on the date of such entry. If a timely motion in arrest of judgment or for a new trial on any ground other than newly discovered evidence has been made, an appeal from a judgment of conviction may be taken within forty-five days after the entry of an order denying the motion. A motion for a new trial based on the ground of newly discovered evidence will similarly extend the time for appeal from a judgment of conviction if the motion is made within ten days after entry of the judgment. A judgment or order is entered within the meaning of this section (b) when it is entered in the criminal docket. Upon a showing of excusable neglect the appellate court may, before or at any time after the time has expired, with or without motion and notice, extend the time for filing a notice of appeal for a period not to exceed thirty days from the expiration of the time otherwise prescribed by this section (b).

(2) [*** NO CHANGE]

(c) [*** NO CHANGE]

(d) [*** NO CHANGE]

(e) [*** NO CHANGE]

**This Corrective Order is Adopted on June 12, 2001 nunc pro tunc
effective July 1, 2001.**

BY THE COURT:

**Alex J. Martinez
Justice, Colorado Supreme Court**