

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1752

Amending Appellate Rule 216
concerning the jurisdictional
limitation.

IT IS ORDERED:

Appellate Rule 216 is amended to read as follows:

Rule 216. Expedited Appeals.

(a) **Scope.** This rule applies to the following classes of appeals, and supersedes the other appellate rules to the extent that they may be inconsistent with this rule:

- (1) Extradition appeals;
- (2) Peremptory challenge appeals.

(b) **Definitions.**

(1) An appeal from an order of the superior court granting or denying an application for a writ of habeas corpus filed under AS 12.70.090 by a person arrested on a governor's warrant under the Uniform Criminal Extradition Act, is an "extradition appeal." An appeal from any other final judgment of the superior court relating to the extradition of a person charged in this state or elsewhere with a crime is also an "extradition appeal," except that any appeal from a final judgment convicting a person of a crime is not an "extradition appeal."

(2) A "peremptory challenge appeal" is an appeal by a criminal defendant from an order denying the defendant's motion for change of judge under Criminal Rule 25(d).

(c) **Jurisdictional Limitation.** This rule does not permit an extradition appeal to be taken in any circumstances in which an appeal would not be permitted by Rule 202.

(d) **Notice of Appeal.** * * * *

(e) **Record on Appeal.** * * * *

(f) **Memoranda on Appeal.** * * * *

(g) **Disposition of Appeals.** * * * *

DATED: January 20, 2011

EFFECTIVE DATE: April 15, 2011

/s/
Chief Justice Carpeneti

/s/
Justice Fabe

/s/
Justice Winfree

/s/
Justice Christen

/s/
Justice Stowers