

Senate Study Bill 2061

Conference Committee Text

PAG LIN

1 1 Section 1. Section [822.9](#), Code 1995, is amended by
1 2 striking the section and inserting in lieu thereof the
1 3 following:
1 4 822.9 APPEAL.
1 5 An appeal from a final judgment entered under this chapter
1 6 may be taken, perfected, and prosecuted either by the
1 7 applicant or by the state in the manner and within the time
1 8 after judgment as provided in the rules of appellate procedure
1 9 for appeals from final judgments in criminal cases. However,
1 10 if a party is seeking an appeal under section 822.2,
1 11 subsection 6, the appeal shall be by writ of certiorari.
1 12 EXPLANATION
1 13 This bill strikes and replaces a provision relating to
1 14 appeals in postconviction proceedings. The replacement of the
1 15 provision has the effect of reenacting the current Code
1 16 language, including a change which was made in 1992, that pro-
1 17 vides that appeals of forfeiture of reductions in sentences
1 18 must be made by writ of certiorari.
1 19 LSB 4198SC 76
1 20 mk/jw/5