

by an affidavit corresponding to that prescribed in Form 15 (and that affidavit shall include answers to the questions set out in Form 15).

The docket fees herein prescribed shall be in lieu of all other court costs in the particular proceeding before the appellate court, unless the court orders otherwise, and may be taxed as costs, as provided by Rule 35.

- (b) **Docket Fees in Criminal Cases.** Unless an appellant proceeded before the trial court in forma pauperis and that status has not since been revoked, or unless the appellant is granted permission to proceed on appeal in forma pauperis either by the trial court or by the Court of Criminal Appeals, the appellant shall pay a \$200.00 docket fee to prosecute his or her appeal in the Court of Criminal Appeals; provided, however, that that fee shall be waived in any appeal in which the State is the appellant. The docket fee prescribed herein shall be in lieu of all other fees and costs prescribed by law for appeals to the Court of Criminal Appeals and shall be paid to the clerk of the trial court at the time the appellant files his or her notice of appeal. The clerk of the trial court shall then remit the docket fee to the clerk of the Court of Criminal Appeals as provided in Rule 3(d)(2). After the docket fee has been paid, in whole or in part, the Court of Criminal

Appeals shall not be required to refund any portion thereof because the appellant, on whose behalf it was paid, is subsequently granted in forma pauperis status or because the appellant's appeal is subsequently dismissed without a decision on the merits.

Upon receipt of the trial court clerk's transmittal of an appellant's notice of appeal, the clerk of the Court of Criminal Appeals shall docket the appeal regardless of whether the transmittal is accompanied by the docket fee prescribed herein. After docketing an appeal in a case in which it appears that the docket fee is due, in whole or in part, the clerk of the Court of Criminal Appeals shall issue a deficiency notice advising the appellant that the appeal will be dismissed with prejudice unless the appellant has, within the time prescribed in said deficiency notice, either paid the docket fee in full or sought leave to proceed on appeal in forma pauperis as authorized in Rule 24(a). If, within fourteen (14) days of the date of issuance of the deficiency notice, the appellant has not paid the docket fee in full or sought leave to proceed on appeal in forma pauperis or otherwise shown that the docket fee is inapplicable, the appeal shall be dismissed with prejudice and may not thereafter be reinstated except on motion for good cause shown made within 14 days from the date of the certificate of dismissal. ▲▼▲



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 - This is a program attorneys can register for to electronically file documents to the court system and is available in all Civil Divisions.
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