

**IN THE SUPREME COURT, STATE OF WYOMING**

**OCTOBER TERM, A.D. 1996**

IN THE SUPREME COURT  
STATE OF WYOMING  
FILED

*In the Matter of the Imposition of Sanctions )  
for Failure to Mail a Copy of the Notice )  
of Appeal to the Clerk of the Supreme Court )  
Simultaneously with the Service and Filing )  
thereof in the Trial Court )*

General Order 97-1

JAN 29 1997

*Judy Pacheco*  
JUDY PACHECO, CLERK

**ORDER IMPOSING SANCTIONS FOR FAILURE TO COMPLY WITH WYO. R. APP. P. 2.01(a)**

THE COURT having taken notice, in connection with review of those cases appealed to this Court, of the frequent failure of appellate practitioners to comply with that portion of WYO. R. APP. P. 2.01(a) which requires mailing of a copy of the **Notice of Appeal**, as more fully described at WYO. R. APP. P. 2.07, to the Clerk of the Supreme Court simultaneously with the filing thereof in the trial court and concurrent service in accordance with provision of Rule 5, W.R.C.P. (or as provided in Rule 32(c)(4), W.R.CR.P.); wherefore,

THE COURT finds that less stringent efforts to resolve the aforementioned problem have only served to create additional work for the Clerk of this Court and the clerks of the various district courts without relieving the problem or reforming the offending practitioners; and,

THE COURT finds that WYO. R. APP. P. 1.03 sanctions upon those appellate practitioners who persist in failing to mail a copy of the **Notice of Appeal**, as described at WYO. R. APP. P. 2.07, to the Clerk of the Supreme Court, simultaneously with the filing thereof in the trial court and concurrent service, afford the best means of solving the problem. It is, therefore

**ORDERED**, effective February 1, 1997, appeals docketed in the Wyoming Supreme Court wherein counsel for appellant has neglected, failed or refused to mail a copy of the **Notice of Appeal**, as described at WYO. R. APP. P. 2.07, to the Clerk of the Court simultaneously with the filing thereof in the trial court and service in accord with the requirements of WYO. R. APP. P. 2.01(a), shall be sanctioned in the amount of one hundred and fifty dollars (\$150.00) payable to the Clerk of the Supreme Court pursuant to the following terms and conditions:

1. The Clerk of the Supreme Court shall, at the time of docketing any appeal wherein the **Notice of Appeal**, as described at WYO. R. APP. P. 2.07, has not been mailed to the said Clerk simultaneously with the filing thereof in the trial court and service in accord with the requirements of WYO. R. APP. P. 2.01(a), notify the Chief Justice of the Supreme Court of counsel's failure to fully comply with WYO. R. APP. P. 2.01(a);

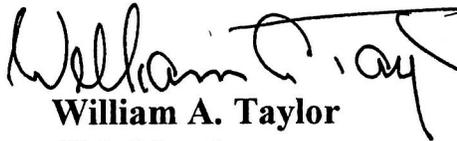
2. Upon receipt of the foregoing notification from the Clerk of Court, the Chief Justice shall, pursuant to authority of WYO. R. APP. P. 1.03, cause an order to be made and entered in the said appeal, sanctioning counsel for the appellant in the amount of one hundred and fifty dollars (\$150.00) payable to the Clerk of the Supreme Court from counsel for the appellant; and

3. Upon issuance of the order aforesaid, counsel for the appellant shall have thirty (30) days from the entry of said order to remit the one hundred and fifty dollar (\$150.00) sanction to the Clerk of the Supreme Court, and this counsel shall not omit, under penalty of dismissal of the underlying appeal; and it is, finally

**ORDERED** that this general order shall remain in full force and effect until such time, if any, as it may be amended by the Court.

**DATED** this 28<sup>th</sup> day of January, 1997.

**FOR THE COURT:**



**William A. Taylor**  
**Chief Justice**