

AMENDMENTS OF FEDERAL RULES OF
CRIMINAL PROCEDURE.

Effective January 1, 1949.

The following order was adopted by the Supreme Court on December 27, 1948:

ORDER.

ORDERED:

1. That the first sentence of Rule 37 (a) (1) of the Federal Rules of Criminal Procedure be, and it hereby is, amended to read as follows:

(1) *Notice of Appeal.* An appeal permitted by law from a district court to the Supreme Court or to a court of appeals is taken by filing with the clerk of the district court a notice of appeal in duplicate.

2. That the first sentence of Rule 38 (a) (3) of the Federal Rules of Criminal Procedure be, and it hereby is, amended to read as follows:

(3) *Fine.* A sentence to pay a fine or a fine and costs, if an appeal is taken, may be stayed by the district court or by the court of appeals upon such terms as the court deems proper.

3. That Rule 38 (c) of the Federal Rules of Criminal Procedure be, and it hereby is, amended to read as follows:

(c) APPLICATION FOR RELIEF PENDING REVIEW.
If application is made to a court of appeals or to a circuit judge or to a justice of the Supreme Court for bail pending appeal or for an extension of time for filing the record on appeal or for any other relief which might have been granted by the district court, the application shall be upon notice and shall show

that application to the court below or a judge thereof is not practicable or that application has been made and denied, with the reasons given for the denial, or that the action on the application did not afford the relief to which the applicant considers himself to be entitled.

4. That Rule 39 (b) (2) of the Federal Rules of Criminal Procedure be, and it hereby is, amended to read as follows:

(2) *Use of Typewritten Record.* The court of appeals may dispense with the printing of the record on appeal and review the proceedings on the typewritten record.

5. That the foregoing amendments to the Federal Rules of Criminal Procedure shall take effect on January 1, 1949.

December 27, 1948.