

AMENDMENT TO RULE 37 OF THE  
FEDERAL RULES OF CRIMINAL PROCEDURE.

MONDAY, APRIL 12, 1954.

ORDERED, That Rule 37 of the Federal Rules of Criminal Procedure be, and it hereby is, amended to read as follows:

"RULE 37. TAKING APPEAL; AND PETITION FOR WRIT  
OF CERTIORARI.

"(a) TAKING APPEAL TO A COURT OF APPEALS.

"(1) *Notice of Appeal.* An appeal permitted by law from a district court to a court of appeals is taken by filing with the clerk of the district court a notice of appeal in duplicate. Petitions for allowance of appeal, citations and assignments of error in cases governed by these rules are abolished. The notice of appeal shall set forth the title of the case, the name and address of the appellant and of appellant's attorney, a general statement of the offense, a concise statement of the judgment or order, giving its date and any sentence imposed, the place of confinement if the defendant is in custody and a statement that the appellant appeals from the judgment or order. The notice of appeal shall be signed by the appellant or appellant's attorney, or by the clerk if the notice is prepared by the clerk as provided in paragraph (2) of this subdivision. The duplicate notice of appeal and a statement of the docket entries shall be forwarded immediately by the clerk of the district court to the clerk of the court of appeals. Notification of the filing of the notice of appeal shall be given by the clerk by mailing copies thereof to adverse parties, but his failure so to do does not affect the validity of the appeal.

"(2) *Time for Taking Appeal.* An appeal by a defendant may be taken within 10 days after entry of the

judgment or order appealed from, but if a motion for a new trial or in arrest of judgment has been made within the 10-day period an appeal from a judgment of conviction may be taken within 10 days after entry of the order denying the motion. When a court after trial imposes sentence upon a defendant not represented by counsel, the defendant shall be advised of his right to appeal and if he so requests, the clerk shall prepare and file forthwith a notice of appeal on behalf of the defendant. An appeal by the government when authorized by statute may be taken within 30 days after entry of the judgment or order appealed from.

“(b) TAKING APPEAL TO THE SUPREME COURT.

“An appeal to the Supreme Court when authorized by statute shall be taken in the manner and within the time prescribed by its rules.

“(c) PETITION FOR REVIEW ON WRIT OF CERTIORARI.

“Petition to the Supreme Court for writ of certiorari shall be made in the manner and within the time prescribed by its rules.”

That the foregoing amendment to the Federal Rules of Criminal Procedure shall take effect on July 1, 1954.