

20-3017. Motion to transfer case from court of appeals to supreme court; requirements; disposition of case by supreme court; failure to file motion deemed waiver of objection to jurisdiction of court of appeals. Within 30 days after the date the notice of appeal has been served on the appellee in any case appealed to the court of appeals, any party to such case may file a motion with the clerk of the court of appeals, requesting that such case be transferred to the supreme court for review and final determination by such court. Such motion shall be made in the manner and form prescribed by rules of the supreme court, and it shall allege the existence of one or more of the conditions described in subsection (a) of K.S.A. 20-3016, and amendments thereto. The clerk of the court of appeals promptly shall submit any motion made pursuant to this section to the supreme court. The supreme court shall consider such motion and may accept the case for review and final determination or may decline jurisdiction and order that the case be determined by the court of appeals. A party's failure to file a motion in accordance with this section shall be deemed a waiver of any objection by such party to the jurisdiction of the court of appeals.

History: L. 1975, ch. 178, § 17; L. 2011, ch. 48, § 1; July 1.