

1. Crim. P. 35(c)(3)(VII) currently says that “[t]he court shall deny any claim that could have been presented in an appeal previously brought or postconviction proceeding previously brought”

2. In August 4, 2017, Judge J. Jones, in an email, proposed changing it to read: “The court shall deny any claim that could have been *brought* in an appeal previously brought, *an appeal which could have been brought*, or a postconviction proceeding previously brought”

3. On October 16, 2017, Judge J. Jones said he thought the proposed change would need to be accompanied by a further change to 35(c)(3)(VII)(a).
 - a. Crim. P. 35(c)(3)(VII)(a) currently reads: “Any claim based on events that occurred after initiation of the defendant’s prior appeal or postconviction proceeding.”

 - b. His proposal is to amend the provision to read: “Any claim based on events that occurred after initiation of the defendant’s prior appeal, *after expiration of the time for filing an appeal when no appeal was taken, or after initiation of the defendant’s prior postconviction proceeding.*”