

RULE CHANGE 2021(24)

THE COLORADO APPELLATE RULES

Rule 51.1. Exhaustion of State Remedies Requirement in Criminal Cases

(a) Exhaustion of Remedies. In all appeals from criminal convictions or post conviction relief matters from or after July 1, 1974, a litigant is not required to petition for rehearing and certiorari following an adverse decision of the intermediate appellate court in order to be deemed to have exhausted all available state remedies respecting a claim of error. Rather, the litigant will have exhausted all available state remedies when a claim has been presented to the intermediate appellate court ~~and~~or the supreme court, and relief has been denied, or when relief has been denied in the intermediate appellate court and the time for petitioning for certiorari review has expired.

(b) [NO CHANGE]

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(b) [NO CHANGE]

Amended and Adopted by the Court, En Banc, December 16, 2021, effective immediately.

By the Court:

**Richard L. Gabriel
Justice, Colorado Supreme Court**