

Rule Change 2010(05)

CHAPTER 32 -- COLORADO APPELLATE RULES

Rule 35. Determination of Appeal.

(a) - (d) [No change]

(e) **Disposition of Cause.** In all cases on appeal the appellate court may enter final judgment and may issue execution thereon, or may remand the cause to the trial court in order that execution may there be issued or that other proceedings may be had therein. Any judgment may be affirmed without written opinion, but on reversal the court shall give its reasons for such action, except in cases where it renders judgment or directs what judgment shall be entered in the trial court. When the Supreme Court acting en banc is equally divided in an opinion, the judgment ~~of the trial court~~appealed from shall stand affirmed. The appellate court shall disregard any error or defect not affecting the substantial rights of the parties.

(f) [No change]

Amended by the Court, En Banc April 5, 2010, effective immediately.

By the Court:

Nancy E. Rice
Justice, Colorado Supreme Court