

## **Rule 120**

### **DEATH PENALTY CASE—NOTICE TO APPELLATE COURT**

If a county or district attorney files notice under K.S.A. 21-6617 that the attorney intends—on conviction of a defendant charged with capital murder—to request a separate sentencing proceeding to determine whether the defendant should be sentenced to death, the clerk must forward a copy of the notice to the clerk of the appellate courts no later than 7 days after filing.

**[History:** New rule effective May 28, 1997; Am. effective July 1, 2010; Rule restyled effective July 1, 2012.]