

419.130 Appeal -- Supersedeas.

- (1) Any party to a hearing on a writ may appeal to the Court of Appeals by filing with the clerk of the court, within thirty (30) days after the entry of the judgment, the original record and a transcript of the evidence, together with a notice of appeal, which notice shall be served on the other parties at least two (2) days before the appeal is filed. Upon the filing of the appeal the clerk shall immediately deliver the papers to the Chief Judge.
- (2) If the judgment in a habeas corpus proceeding orders the release of the person detained, any party may have the judgment stayed until the appeal is filed by notifying the judge rendering the judgment that he intends to appeal and upon complying with such terms as to bond or otherwise as the judge deems proper for the security of the person detained. The Court of Appeals may continue, modify or set aside the stay pending the appeal. The appellant may be required to give security for costs.

History: Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 421. -- Amended 1976 Ky. Acts ch. 62, sec. 125. -- Created 1962 Ky. Acts ch. 234, sec. 30.