

Notification of Dismissal of Appeals

Directive #5-68
Issued by:

October 14, 1968
Edward B. McConnell
Administrative Director

I wish to remind you that *R. 3:23-8(e)* requires the county clerk to notify the municipal court immediately of the determination of appeals from the municipal courts to the Superior Court. This is particularly important when the appeal has been dismissed for failure of the defendant to prosecute the appeal and the municipal court has stayed execution of the sentence pending the appeal.

In many instances the municipal court has stayed revocation of a driver's license and it is most important that the municipal courts be notified of the determination of the appeal so that, where applicable, the municipal court can then have the defendant surrender his or her license and execute the sentence of the municipal court.

I would also appreciate your seeing that these appeals are heard promptly and where appropriate promptly dismissed, if the defendant fails to prosecute the appeal.

For your information I am also reminding the judges of the municipal courts of their responsibilities in executing their sentences when the appeal is dismissed.

EDITOR-S NOTE

The only changes have been the replacement of county court with Superior Court and the deletion of *R.R. 3:10-12* and the insertion of the revised *R. 3:28-8(e)*. The language has been amended to render it gender-neutral.

Chapter 7 of the Rules Governing the Courts of the State of New Jersey governs practice in municipal courts. This chapter was substantially revised in 1997 and users of this compilation should consult the revised chapter for any changes that may affect these directives.