

IN THE SUPREME COURT, STATE OF WYOMING

APRIL TERM A.D., 1986

IN THE MATTER OF AMENDING )  
RULE 10.05, WYOMING RULES )  
OF APPELLATE PROCEDURE )

IN THE SUPREME COURT  
STATE OF WYOMING  
FILED

APR 25 1986

ORDER

*M. J. Leonard*  
CLERK

The following amendment to the above numbered court rule having been found advisable by the court;

IT IS ORDERED that Rule 10.05, Wyoming Rules of Appellate Procedure be, and it is hereby amended, as follows:

**Rule 10.05. Costs and penalties on affirmance.**

When, in a civil case, the judgment or final order is affirmed, appellee shall recover the cost for typewriting and reproducing his brief, such cost to be computed at the rate allowed by law for making the transcript of the evidence. ~~Unless~~ IF the court certifies that there was NO reasonable cause for the appeal, there shall also be taxed as part of the costs in the case, a reasonable fee, to be fixed by the court, not less than one hundred dollars (\$100.00) nor more than five hundred THOUSAND dollars ~~(\$500.00)~~ (\$5,000.00), to the counsel of the appellee, and to the appellee damages in such sum as may be reasonable, not exceeding ~~one~~ TWO thousand dollars ~~(\$1,000.00)~~ (\$2,000.00), unless

the judgment, or final order directs the payment of money, and execution thereof was stayed, when in lieu of such penalty, it shall bear additional interest at a rate not exceeding five percent (5%) per annum, for the time for which it was stayed, to be ascertained and awarded by the court.

IT IS FURTHER ORDERED that the above amended rule be published in the Advance Sheets of the Pacific Reporter and become effective sixty (60) days after such publication and distribution by the publisher; that the amended rule as set out herein shall be spread at length on the journal of this court, but the stricken words of the original rule and the capitalized added words thereof shall not be shown as stricken or capitalized in the publication in the Wyoming Court Rules.

Dated this 25<sup>th</sup> day of April, 1986.

By the Court

A handwritten signature in black ink, reading "Richard V. Thomas". The signature is written in a cursive style with a long, sweeping horizontal line extending to the right.

Richard V. Thomas  
Chief Justice