

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1877

Amending Appellate Rule 204(d)
concerning the state's exemption
from bond requirements.

IT IS ORDERED:

Appellate Rule 204(d) is amended to read as follows:

Rule 204. Appeal: Time—Notice—Bonds.

* * * *

(d) **Supersedeas Bond.** Whenever in a civil case an appellant entitled thereto desires a stay on appeal, the appellant may present to the superior court for its approval a supersedeas bond which shall have such surety or sureties as the court requires. The bond shall be conditioned for the satisfaction of the judgment in full, together with costs and interest, if for any reason the appeal is dismissed or if the judgment is affirmed, and to satisfy in full such modification of the judgment and such costs and interest as the supreme court may adjudge and award. When the judgment is for the recovery of money not otherwise secured, the amount of the bond shall be fixed at such sum as will cover the whole amount of the judgment remaining unsatisfied, costs on the appeal, and interest, unless the superior court, after notice and hearing and for good cause shown, fixes a different amount or orders security other than the bond. When the judgment determines the disposition of the property in controversy as in real actions, replevin, and actions to foreclose mortgages or when such property is in the custody of the court or the state troopers or when the proceeds of such property of a bond

for its value is in the custody or control of the court, the amount of the supersedeas bond shall be fixed at such sum only as will secure the amount recovered for the use and detention of the property, the cost of the action, costs on appeal, and interest, unless the superior court, after notice and hearing and for good cause shown, fixes a different amount or orders security other than the bond. The state or an officer or agency thereof or a municipality or an officer or agency thereof desiring a stay on appeal is exempted from the requirement of posting supersedeas bond imposed by this subsection.

* * * *

DATED: April 27, 2016

EFFECTIVE DATE: October 15, 2016

/s/
Chief Justice Stowers

/s/
Justice Fabe

/s/
Justice Winfree

/s/
Justice Maassen

/s/
Justice Bolger