

TRIAL

***RULE 720B. POST SENTENCE MOTIONS**

(a) Copies of post sentence motions in criminal cases shall be filed with the Clerk of Court and delivered to the Trial Judge and served upon all adverse parties. Upon order of Court, the court stenographer shall transcribe the record.

(b)-(c) Reserved.

(d) Reasons for a new trial based on after-discovered evidence must be supported by a written affidavit by the party or his or her attorney containing the names of the witnesses, the substance of their expected testimony, the affiant's belief of its sufficiency to change the verdict, and an explanation why the testimony was not produced at the trial.

(e) The trial judges shall determine whether post sentence motions shall be argued before himself or herself alone or before a panel sitting as a court en banc. Whenever the trial judge hears the motion alone, she/he may make any ruling that could be made by a court en banc.

* Formerly Rule No. 1123
Effective 6/4/2001