

1 **Rule 44. Transfer of improperly pursued appeals.**

2 If a notice of appeal, a petition for permission to appeal from an interlocutory order, or a petition
3 for review is filed in a timely manner but is pursued in an appellate court that does not have
4 jurisdiction in the case, the appellate court, either on its own motion or on motion of any party,
5 ~~shall~~will transfer the case, including the record on appeal, all motions and other orders, and a
6 copy of the docket entries, to the court with ~~appellate~~ jurisdiction in the case. The clerk of the
7 transferring court ~~shall~~will give notice to all parties and to the clerk of the trial court of the order
8 transferring the case. The time for filing all papers in a transferred case ~~shall~~will be calculated
9 according to the time schedule of the receiving court.

10 **Advisory Committee Note**

11 ~~Rule 44 permits the transfer of an appeal that is timely but improperly filed between the Supreme~~
12 ~~Court and the Court of Appeals. It also permits the transfer of improperly filed petitions for~~
13 ~~review of informal adjudicative proceedings of administrative agencies from an appellate court~~
14 ~~to a district court that has jurisdiction to review those proceedings.~~