

## **Alabama Rules of Appellate Procedure**

### **Rule 45A.**

#### **Scope of review in death cases.**

In all cases in which the death penalty has been imposed, the Court of Criminal Appeals may, but shall not be obligated to, notice any plain error or defect in the proceedings under review, whether or not brought to the attention of the trial court, and take appropriate appellate action by reason thereof, whenever such error has or probably has adversely affected the substantial right of the appellant.

[Adopted 10-2-78, eff. 12-1-78, Amended 1-12-2023.]

**Note from the reporter of decisions:** The order amending Rule 45A, Alabama Rules of Appellate Procedure, effective January 12, 2023, is published in that volume of *Alabama Reporter* that contains Alabama cases from \_\_ So. 3d.