

RAP 16.8.1
PERSONAL RESTRAINT PETITION—PRELIMINARY
REVIEW BY COURT

(a) Preliminary Review. Upon receipt of the petition, the appellate court will conduct a preliminary review.

(b) Dismissal without Response. The appellate court will dismiss the petition without requesting a response if it is clearly frivolous or clearly barred by RCW 10.73.090 or RAP 16.4(d).

(c) Remand to Superior Court. If the petition was originally filed as a habeas corpus petition or a motion under CrR 7.8 and the superior court clearly erred in transferring the matter to the Court of Appeals, the Court of Appeals will remand the matter to the superior court. If a case is remanded pursuant to this subsection, no filing fee will be required in the Court of Appeals.

(d) Request for Response. If the appellate court does not dismiss or remand the petition, the court will request that a response be filed.

[Adopted effective September 1, 2014.]