

192A.371 REVIEW BY STATE APPELLATE AUTHORITY.

Subdivision 1. **Certiorari.** (a) A review of any final order of a special or general court-martial proceeding may be had upon certiorari by the supreme court upon petition of any party to the proceeding. The review may be had on the ground that: (1) the court-martial was without jurisdiction; or (2) the findings of the court-martial and the final order of the convening authority: (i) were not justified by the evidence; (ii) were not in conformity with this code, military law or other law applicable to the proceedings, or the Classified Information Procedures Act; or (iii) were affected by any other error of law.

(b) A writ of certiorari for review under this section is a matter of right.

Subd. 2. **Service of writ.** (a) Within 60 days after notice of the final order of a court-martial proceeding, the petitioner for review shall obtain from the supreme court a writ of certiorari, shall serve the same upon all other parties appearing in the court-martial proceeding, and shall file the original writ of certiorari and proof of service with the court administrator of the court-martial. No fee or bond is required for either obtaining a writ of certiorari or the associated filings required under this paragraph.

(b) Return upon the writ shall be made to the supreme court and the matter shall be heard and determined by the court in accordance with the rules of civil appellate procedure applicable to decisions reviewable by certiorari directly in the supreme court.

History: 2013 c 78 s 18; 2022 c 89 art 5 s 3