I.C.R. 54.17. Appellate Review.

Idaho Criminal Rule 54.17. Appellate Review.

All appeals from a magistrate shall be heard by the district court as an appellate proceeding unless the district court orders a trial de novo as provided in these rules. The scope of appellate review on appeal to the district court shall be as follows:

(a) Upon an appeal from a magistrate to the district court, not involving a trial de novo, the district court shall review the case on the record and determine the appeal as an appellate court in the same manner and upon the same standards of review as an appeal from the district court to the Supreme Court under the Idaho appellate rules.

(b) Upon an appeal from a magistrate to the district court in which a trial de novo is ordered, such appeal shall be by trial in the district court in the same manner as a trial upon information in the district court.

(Adopted June 15, 1987, effective November 1, 1987.)

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