

[CAPTION]

ORDER GRANTING PERMISSION TO FILE BELATED NOTICE OF APPEAL

The Defendant, having filed his *Verified Petition for Permission to File a Belated Notice of Appeal* and the Court, after reviewing the law and facts of this case, and being duly advised in the premises now finds the following:

1. On [insert date], the Defendant was sentenced to [insert sentence] for [insert conviction(s)].
2. Indiana Post Conviction Rule 2, Section 1 permits an eligible defendant convicted after a trial or plea of guilty who failed to file a timely Notice of Appeal to file a Petition for Permission to File a Belated Notice of Appeal. Post Conviction Rule 2, Section 1 states an “‘eligible defendant’ for purposes of this Rule is a defendant who, but for this defendant’s failure to do so timely, would have the right to challenge on direct appeal a conviction or sentence after a trial or plea of guilty by filing a notice of appeal”
3. [Insert client’s name] is an eligible defendant.
4. The failure to timely file a *Notice of Appeal* was not due to the fault of the Defendant. The Defendant has been diligent in requesting permission to file a *Notice of Appeal*.
5. The Defendant is given permission to file a *Belated Notice of Appeal*.

It is hereby ordered, adjudged, and decreed that the Defendant is given permission to file a *Belated Notice of Appeal* pursuant to Indiana Post Conviction Rule 2 within 30 days of this Order.

So ordered this _____ day of _____ 20__.

Judge