

**Rule 31, Ariz. R. Crim. P. – Appeal from Superior Court**

**Restitution: Defendant's Obligation Pending Appeal.....Revised**

**11/2009**

When a defendant appeals, any order to make restitution payments to the clerk will not be stayed. A.R.S. § 13-804(d). Rather, the court will hold the payments until the appeal is decided and distribute accordingly. *Id.* See also *State v. Hansen*, 214 Ariz. 34, 147 P.3d 1050 (App. 2006) (reaching the same result when an old version of Arizona Rule of Criminal Procedure 31.6 conflicted with A.R.S. § 13-804(d)).