

30 (2) In addition to any appeal permitted by Subsection (1), a defendant may seek
31 discretionary appellate review of any interlocutory order.

32 (3) The prosecution may, as a matter of right, appeal from:

33 (a) a final judgment of dismissal, including a dismissal of a felony information
34 following a refusal to bind the defendant over for trial;

35 (b) a pretrial order dismissing a charge on the ground that the court's suppression of
36 evidence has substantially impaired the prosecution's case;

37 (c) an order granting a motion to withdraw a plea of guilty or no contest;

38 (d) an order arresting judgment or granting a motion for merger;

39 (e) an order terminating the prosecution because of a finding of double jeopardy or
40 denial of a speedy trial;

41 (f) an order granting a new trial;

42 ~~(f)~~ (g) an order holding a statute or any part of it invalid;

43 ~~(g)~~ (h) an order adjudicating the defendant's competency to proceed further in a
44 pending prosecution;

45 ~~(h)~~ (i) an order finding, pursuant to Title 77, Chapter 19, Part 2, Competency for
46 Execution, that an inmate sentenced to death is incompetent to be executed;

47 ~~(i)~~ (j) an order reducing the degree of offense pursuant to Section 76-3-402; or

48 ~~(j)~~ (k) an illegal sentence.

49 (4) In addition to any appeal permitted by Subsection (3), the prosecution may seek
50 discretionary appellate review of any interlocutory order entered before jeopardy attaches.