

## Rule 1972. Dispositions on Motion

(a) Except as otherwise prescribed by this rule, subject to **[Rule] Pa.R.A.P. 123 [(applications for relief)]**, any party may move:

(1) To transfer the record of the matter to another court because the matter should have been commenced in, or the appeal should have been taken to, such other court. **See [See Rule] Pa.R.A.P. 741 [(waiver of objections to jurisdiction)]**.

(2) To transfer to another appellate court under **[Rule] Pa.R.A.P. 752 [(transfers between Superior and Commonwealth Courts)]**.

(3) To dismiss for want of jurisdiction in the unified judicial system of this Commonwealth.

(4) To dismiss for mootness.

(5) To dismiss for failure to preserve the question below, or because the right to an appeal has been otherwise waived. **[See Rule] See Pa.R.A.P. 302 [(requisites for reviewable issue)]** and **[Rule] Pa.R.A.P. 1551(a) [(review of quasijudicial orders)]**.

(6) To continue generally or to quash because the appellant is a fugitive.

(7) To quash for any other reason appearing on the record.

Any two or more of the grounds specified in this rule may be joined in the same motion. Unless otherwise ordered by the appellate court, a motion under this rule shall not relieve any party of the duty of filing his or her briefs and reproduced records within the time otherwise prescribed therefor. The court may grant or refuse the motion, in whole or in part; may postpone consideration thereof until argument of the case on the merits; or may make such other order as justice may require.

(b) In a children's fast track appeal, a dispositive motion filed under **[Paragraphs] subparagraphs** (a)(1), (a)(2), (a)(5), (a)(6) or (a)(7) of this rule shall be filed within 10 days of the filing of the statement of errors complained of on appeal required by **[Rule] Pa.R.A.P. 905(a)(2)**, or within 10 days of the lower court's filing of a **[Rule] Pa.R.A.P. 1925(a)(2)** opinion, whichever period expires last, unless the basis for seeking to quash the appeal appears on the record subsequent to the time limit provided herein, or except upon application and for good cause shown.

**Official Note: [Based on former Supreme Court Rule 33 and former Superior Court Rule 25.]**

**As to Paragraph (6), see, e.g. Commonwealth v. Galloway, 460 Pa. 309, 333 A.2d 741 (1975) (continuing generally), Commonwealth v. Barron, 237 Pa. Super. 369, 352 A.2d 84 (1975) (quashing).]**

**[Rule] Pa.R.A.P. 1933 [(record for preliminary hearing in appellate court)]** makes clear the right of a moving party to obtain immediate transmission of as much of the record as may be necessary for the purposes of a motion under this rule. See **Pa.R.A.P.[Rule] 123(c) [(speaking applications)]**.