

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-10-0003
SUA SPONTE PETITION TO AMEND)
RULE 13.1(c), ARIZONA RULES OF)
CRIMINAL PROCEDURE) **FILED 09/02/2010**
)
)
_____)

**ORDER
ADOPTING AMENDMENT TO RULE 13.1(c),
ARIZONA RULES OF CRIMINAL PROCEDURE**

A petition having been filed proposing to amend Rule 13.1(c), Ariz. Rules Crim. P., and comments having been received, upon consideration,

IT IS ORDERED that Rule 13.1(c), Ariz. R. Crim. P., be amended in accordance with the attachment hereto, effective January 1, 2011.

DATED this _____ day of September, 2010.

REBECCA WHITE BERCH
Chief Justice

TO:
Rule 28 Distribution
Paul W Ahler

ATTACHMENT*

Arizona Rules of Criminal Procedure

* * *

Rule 13.1. Definitions; timeliness

a.-b. [No change in text.]

c. Timeliness. An information shall be filed in Superior Court within 10 days after the determination of probable cause or the defendant's waiver of a preliminary hearing. Failure to file a timely information shall be grounds for dismissal of the prosecution on motion of the defendant under Rule 16.1(b)~~16.6(b)~~. Such dismissal shall be without prejudice except that if the prosecution is refiled, the time limits under Rule 8.2 shall be computed from the initial appearance on the original complaint.

* * *

* Changes and additions to text are indicated by underlining; deletions are indicated by ~~strikeouts~~.