

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 486

Amending Subparagraph (1) of Paragraph (c) of Rule 45, Alaska Rules of Criminal Procedure, Relating to Speedy Trials for Defendants Charged with Offenses Committed While in Custody.

IT IS ORDERED:

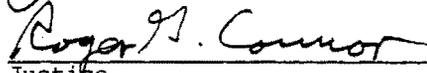
Subparagraph (1) of paragraph (c) of Rule 45, Alaska Rules of Criminal Procedure, is amended to read:

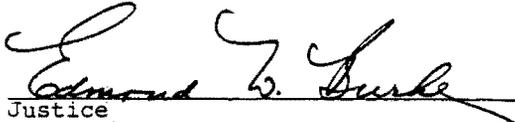
(1) From the date the defendant is arrested, initially arraigned, or from the date the charge (complaint, indictment, or information) is served upon the defendant, whichever is first. If the defendant is in custody or incarcerated on other charges at the time the alleged offense occurs, the time for trial shall begin running 10 days after the case is referred in writing by correctional officials to the prosecuting attorney, or 15 days from the time action is instituted in the correctional facility to impose administrative segregation, whichever is earlier. The arrest, arraignment, or service upon the defendant of a complaint, indictment, or information, relating to subsequent charges arising out of the same conduct, or the refileing of the original charge, shall not extend the time, unless the evidence on which the new charge is based was not available to the prosecution at the time [THE DEFENDANT WAS EITHER INITIALLY ARRESTED, ARRAIGNED, OR SERVED WITH THE ORIGINAL CHARGE,] of the original commencement date of the 120 day period and a showing of due diligence in securing the defendant for the original charges is made by the prosecution; or

DATED: October 13, 1981

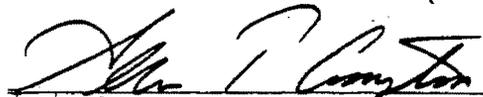
EFFECTIVE DATE: November 16, 1981

  
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Chief Justice

  
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Justice

  
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Justice

  
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Justice

  
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usual distribution