

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 1383

Amending Criminal Rule 45(c) concerning
the date from which the time for trial begins
to run.

IT IS ORDERED:

Paragraph (c) of Criminal Rule 45 is amended to read as follows:

(c) When Time Commences to Run.

* * * *

(5) Withdrawal of Plea, or Notice That Defendant No Longer Intends to Enter a Plea of Guilty or Nolo Contendere. ~~If the~~
When a defendant is to be tried after withdrawal of ~~withdraws~~ a plea
of guilty or nolo contendere ~~previously entered~~, the time for trial
shall run from the date of the order permitting the withdrawal.
When a defendant who previously informed the court of an intention
to plead guilty or nolo contendere notifies the court that the
defendant now intends to proceed to trial, the time for trial shall run
from the date of that notification.

DATED: December 16, 1999

EFFECTIVE DATE: April 15, 2000

/s/ Warren Matthews
Chief Justice Matthews

/s/
Justice Eastaugh

/s/
Justice Fabe

/s/
Justice Bryner

/s/
Justice Carpeneti

Amendment to Criminal Rule 45(c)(5)
Codification of Mustafoski

Legislative Style – Shows Changes to Committee Proposal

(c) When Time Commences to Run.

* * * *

(5) *Withdrawal of Plea, or Notice That Defendant No Longer Intends to Enter a Plea of Guilty or Nolo Contendere.* When a defendant withdraws a plea of guilty or nolo contendere, the time for trial shall run from the date of the order permitting the withdrawal. When a defendant who previously ~~announced~~ informed the court of an intention to plead guilty or nolo contendere ~~informs~~ notifies the court that the defendant now intends to proceed to trial, the time for trial shall run from the date of ~~the defendant's renewed request for trial~~ that notification.