

1 RICHARD M. ROMLEY  
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8 IN THE SUPREME COURT

9 STATE OF ARIZONA

10  
11 IN THE MATTER OF:

12 SUA SPONTE PETITION TO AMEND  
13 RULE 13.1(c), ARIZONA RULES OF  
14 CRIMINAL PROCEDURE


**R-10-0003**

**MARICOPA COUNTY ATTORNEY'S  
COMMENTS TO THE PETITION TO  
AMEND RULE 13.1(c), RULES OF  
CRIMINAL PROCEDURE**

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16 The Maricopa County Attorney hereby submits this Comment, supporting the Petition to  
17 Amend Rule 13.1(c) of the Rules of Criminal Procedure.

18  
19 Respectfully submitted this 19<sup>th</sup> day of May, 2010.

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21 RICHARD M. ROMLEY  
22 MARICOPA COUNTY ATTORNEY

23  
24 BY:   
25 PAUL W. AHLER  
26 Chief Deputy County Attorney  
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1 The Maricopa County Attorney's Office agrees with the Supreme Court's analysis with  
2 respect to the history of Rule 13.1(c), along with its conclusion that the original intent of this Rule  
3 has been lost by virtue of inconsistent and unclear statutory updates and cross-references. For this  
4 reason, we also agree with the proposal to change the current reference to Rule 16.6(b) to a  
5 reference to Rule 16.1(b), requiring that pretrial motions be made no later than 20 days prior to  
6 trial. This change will provide clarity for all parties as to filing deadlines, and will add uniformity to  
7 criminal motion practice.  
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9 Respectfully submitted this 19<sup>th</sup> day of May, 2010.

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11 RICHARD M. ROMLEY  
12 MARICOPA COUNTY ATTORNEY

13  
14 BY:   
15 PAUL W. AHLER  
16 Chief Deputy County Attorney

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18 Copies of the forgoing mailed  
19 this 19 day of May, 2010 to:

20 Clerk of the Court  
21 Arizona Supreme Court

22 Ellen M. Crowley  
23 Staff Attorney's Office  
24 Arizona Supreme Court  
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26  
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