

SUPREME COURT OF ARIZONA

In the Matter of ) Arizona Supreme Court  
 ) No. R-13-0015  
PETITION TO AMEND RULE )  
12.9, ARIZONA RULES OF )  
CRIMINAL PROCEDURE )  
 )  
 ) **FILED 8/28/2013**  
 )  
\_\_\_\_\_ )

**ORDER  
AMENDING RULE 12.9, ARIZONA RULES OF CRIMINAL PROCEDURE**

A petition having been filed proposing to amend Rule 12.9, Arizona Rules of Criminal Procedure, and comments having been received, upon consideration,

IT IS ORDERED that Rule 12.9, Arizona Rules of Criminal Procedure, be amended in accordance with the attachment hereto, effective January 1, 2014.

DATED this \_\_\_\_\_ day of August, 2013.

\_\_\_\_\_  
REBECCA WHITE BERCH  
Chief Justice

TO:  
Rule 28 Distribution  
Joseph C Welty  
Mark C Faull  
Mark C Faull, Maricopa County Attorney's Office  
John A Furlong  
Sheila Sullivan Polk, County Attorney, Yavapai County Attorney's Office  
Elizabeth B Ortiz  
David J Euchner

**ATTACHMENT\***

**RULES OF CRIMINAL PROCEDURE**

**Rule 12.9. Challenge to grand jury proceedings**

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

**c. Relief.** If a motion for a new finding of probable cause is granted under this rule, the State may proceed with the prosecution of the case pursuant to Rule 2, Rules of Criminal Procedure, or by resubmission to the same or another grand jury. Unless a complaint is filed or a grand jury consideration is commenced within fifteen days after entry of the order granting the motion under this rule, the case shall be dismissed without prejudice.

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\* Additions to text are indicated by underscoring and deletions by ~~strikeouts~~.