

THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 319

Amending Criminal Rule 35(a)
by Increasing the Time for
Reduction of Sentence and
Providing for Retention of
Jurisdiction to Reduce
Sentence While a Sentence
Appeal is pending.

IT IS ORDERED:

Paragraph (a) of Criminal Rule 35 is amended to read:

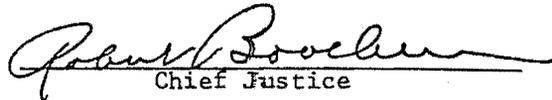
(a) Correcton or Reduction of Sentence.
The court may correct an illegal sentence at any time. The court may reduce a sentence within 120 days after sentence is imposed, or within 120 days after receipt by the court of either a mandate issued upon affirmance of the judgement or an order of dismissal of the appeal, or within 120 days after receipt of an order of the supreme court of the state or of the United States denying an application for relief. The court shall retain jurisdiction under this paragraph notwithstanding the pendency of an appeal. If such a motion is filed during the pendency of a sentence appeal, the proceedings on that sentence appeal shall be automatically stayed upon the filing of a copy of the motion with the court in which the sentence appeal is pending. The stay shall remain in effect until the motion is decided.

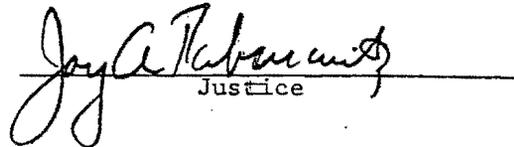
DATED: July 18, 1978

EFFECTIVE DATE: August 16, 1978

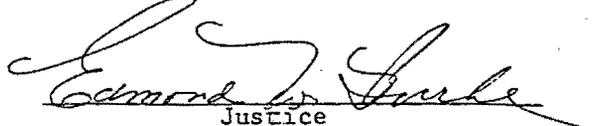
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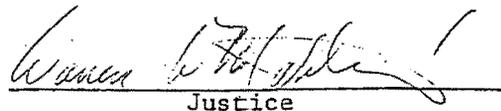
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