

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 517

Amending Paragraphs (b)(1) and (2), and (c)(4), Rule 4, Alaska Rules of Criminal Procedure, Relating to Form and Contents of a Warrant or Summons.

IT IS ORDERED:

Subparagraphs (1) and (2) of paragraph (b), Alaska Rules of Criminal Procedure, are amended to read:

(1) Warrant. The warrant shall be signed by the judge or magistrate, [AND] or by a clerk directed to do so on the record. The warrant shall contain the name of the defendant or, if his name is unknown, any name or description by which the defendant can be identified with reasonable certainty, and shall describe the offense charged in the complaint. The warrant shall be directed to any peace officer or other person authorized by law to execute the warrant and shall command that the defendant be arrested and brought before the nearest available judge or magistrate without unnecessary delay. The judge or magistrate shall endorse the amount of bail upon the warrant.

(2) Summons. The summons shall be signed by the judge or magistrate or by a clerk directed to do so on the record. The summons shall be in the same form as the warrant, except that it shall summon the defendant to appear before a judge or magistrate at the time and place stated therein, and shall inform the defendant that if he fails to appear a warrant will issue for his arrest.

Subparagraph (4) of paragraph (c), Rule 4, Alaska Rules of Criminal Procedure, is amended to read:

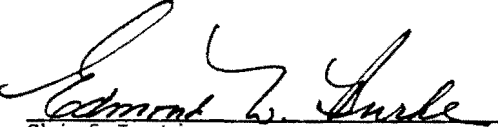
(4) Return. The officer executing the warrant shall make return thereof to the judge or magistrate [OR OTHER OFFICER] before whom the defendant is brought pursuant to Rule 5. At the request of the prosecuting attorney any unexecuted warrant shall be returned to the judge or magistrate by whom it was issued and shall be cancelled by him. On or before the return day, the person upon whom the summons has been served shall make return thereof to the judge or magistrate before whom the summons is returnable. At

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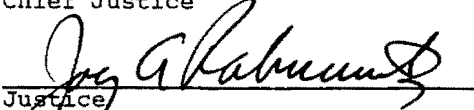
any time while the complaint is pending and upon the request of the prosecuting attorney, any unexecuted and uncanceled warrant or unserved original or duplicate summons shall be re-executed or re-served.

DATED: August 18, 1982

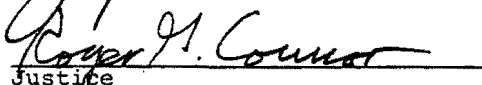
EFFECTIVE DATE: October 1, 1982




Chief Justice



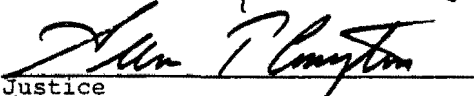
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