

JUDGE'S STANDING ORDER NO. 13
AMENDMENT AND REILING OF COMPLAINTS

On this date, the Court entered the following **ORDER** with respect to amendment and reiling of complaints:

A. APPROPRIATE CIRCUMSTANCES FOR AMENDMENT OR REILING

Notwithstanding the form of the State's motion or the Court's order, the Clerk shall take the following action when presented with a motion and order to either amend a complaint or to dismiss and refile a complaint:

1. *Complaints to be amended.* The existing complaint shall be amended, with the case remaining under the same cause number, when the State requests:
 - a. A correction to the Defendant's name;
 - b. A correction to the location of the offense;
 - c. A correction to the date of the offense;
 - d. A correction to any variable, such as an object or a name;
 - e. The addition of an enhancement allegation;
 - f. The addition of an allegation of family violence in an assault case; or
 - g. Any other correction or addition not listed in subsection 2, below.

2. *Complaints to be dismissed and refiled.* The existing complaint shall be dismissed, with the case refiled under a new cause number, in the following circumstances:
 - a. The State is alleging the offense was committed by a different person than the Defendant against whom the case was originally filed; or
 - b. The State is alleging a different offense than was originally filed.

IT IS SO ORDERED. Signed and Entered this 16 day of May, 20 16



Sonya Letson
Presiding Judge