

## **RULE CR-12. PRETRIAL MOTIONS**

**(a) Motion by Defendant.** Unless otherwise ordered by the court, the defendant must file any pretrial motion:

- (1)** within 14 days after arraignment; or
- (2)** if the defendant has waived arraignment, within 14 days after the latest scheduled arraignment date.

**(b) Motion by the Government.** Unless otherwise ordered by the Court, the government must file any pretrial motion by the latest of the following dates:

- (1)** within 14 days after receiving defendant's motions;
- (2)** within 21 days after the arraignment; or
- (3)** if the defendant has waived arraignment, within 21 days after the latest scheduled arraignment date.

### **Committee Notes**

1. The language of Rule CR-12 has been amended as part of the general restyling of the local criminal rules to make them more easily understood and to make style and terminology consistent throughout the rules. These changes are intended to be stylistic only, except as noted below.
2. The form of motions and responses, and the time for filing a response, are governed by CR-47.
3. Notwithstanding the preference in the Federal Rules of Criminal Procedure for case-specific scheduling orders (see Committee Note, proposed amendment to Fed. R. Crim. P. 12(c)), the rule retains the practice of setting motions deadlines by local rule, recognizing that the practice is suitable for the vast majority of criminal cases filed in this district, and that the district court may set specific deadlines different from the rule in appropriate cases.

(Rev: 12/17/09)