

IN THE JUSTICE OF THE PEACE COURT  
OF THE STATE OF DELAWARE

ORDER AMENDING JUSTICE OF THE PEACE COURT  
CRIMINAL RULE 5(a)

**ORDER**

This 18<sup>th</sup> day of MAY, 2021, it appears to the Court that it is necessary to amend Justice of the Peace Court Criminal Rule 5(a) to correct a typographical error.

Rule 5. Appearance before the Justice of the Peace acting as committing magistrate.

- (a) In general. -- An officer making an arrest under a warrant issued upon a complaint or any person making an arrest without a warrant shall take the arrested person without unreasonable delay before the nearest available Justice of the Peace Court of the county in which the offense is alleged to have been committed or such other Justice of the Peace Court as provided by the warrant or by statute, court rule or administrative order. If a person arrested without a warrant is brought before a Justice of the Peace, a complaint shall be filed forthwith, which shall comply with the requirements of Rule 4(a) with respect to the showing of probable cause. When a person, arrested with or without a warrant or given a summons, appears initially before the Justice of the Peace, the Justice of the Peace shall proceed in accordance with the applicable subsections of this rule.



FOR THE COURT:

Chief Magistrate Alan G. Davis