

***IN THE SUPREME COURT, STATE OF WYOMING***

*April Term, A.D. 2012*

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*In the Matter of Amendments to* )  
*Rule 3 of the Wyoming* )  
*Rules of Criminal Procedure* )

**ORDER ADOPTING AMENDMENTS TO RULE 3 OF THE  
WYOMING RULES OF CRIMINAL PROCEDURE**

**This matter** came before the Court upon its own motion. In anticipation of the Wyoming Highway Patrol completing its e-citations project, which will allow for the electronic transmission of citation information to the circuit courts, this Court finds that it should amend Rule 3 of the Wyoming Rules of Criminal Procedure. It is, therefore,

**ORDERED** that the amendments to Rule 3 of the Wyoming Rules of Criminal Procedure, attached hereto, be and hereby are adopted by the Court to be effective November 1, 2012; and it is further

**ORDERED** that this Order and the amendments to Rule 3 be published in the advance sheets of the Pacific Reporter; the amendments to Rule 3 be published in the Wyoming Court Rules Volume; and that this Order and the amendments to Rule 3 be published online at the Wyoming Judicial Branch's website, <http://www.courts.state.wy.us>. The amendments to Rule 3 shall thereafter be spread at length upon the journal of this Court.

**DATED** this 7<sup>th</sup> day of August, 2012.

**BY THE COURT:**

/s/

**MARILYN S. KITE**  
**Chief Justice**

## Wyoming Rules of Criminal Procedure

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### Rule 3. Indictment, information or citation.

(a) *In general.* -- Prosecution of all offenses shall be by indictment, information or by citation when a citation is authorized by law and shall be carried on in the name and by the authority of the State of Wyoming, and all indictments, informations and citations shall conclude “against the peace and dignity of the State of Wyoming”.

(b) *Nature and contents.* --

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(3) Citation. Except as provided in W.S. 14-6-203(d) and (f), a citation may be issued as a charging document for any misdemeanor for which the issuing officer has probable cause to believe was committed by the person to whom the citation was issued. By accepting the citation, the person issued the citation signifies his promise to appear in court on the date and time stated on the citation. A citation may be issued by any peace officer authorized to do so by statute or ordinance. The A paper citation shall be signed by the issuing officer but need not be under oath. When a citation is issued by the officer, the electronic transfer of citation information is the electronic equivalent of a written signature of the officer, and thereby signifies the officer has delivered a copy of the citation to the defendant in accordance with W.S. 31-5-1205. The citation must state:

- (A) The name of the court where it is to be filed;
- (B) The names of the state or municipality and the defendant;
- (C) For each count, a reference to the statute, ordinance, rule, regulation or other provision of law which the defendant is alleged to have violated;
- (D) The date and time the defendant must appear in court; and
- (E) Whether a court appearance may be avoided by paying a fine and costs or forfeiture of bail.

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