

THE JUDICIAL COURT OF THE TOHONO O'ODHAM NATION

In Re: PROCEDURES FOR FILING A MOTION FOR EXTENSION OF DETENTION TIME

ADMINISTRATIVE ORDER

No.: 2026-10

The Tohono O'odham Constitution, Article VIII, Sections 1, 2, and 10(d) vests authority in the Judicial Branch to hear cases and establish court procedures. This Administrative Order sets forth and memorializes the current and historical procedures utilized by the Court for the processing of a motion for extension of detention time pending the filing of a complaint.

To ensure that the Court can timely process a motion for temporary detention, these procedures must be followed. The Court reserves the right to reject any improper filing.

Procedure upon arrest must be followed as set forth in the 3 T.O. R. Crim. P. Rule 4.1(a):

Rule 4.1. Procedure Upon Arrest.

(a) **Timeliness of Appearance.** An arrested person must be brought before a judge without unnecessary delay. A detained person's initial appearance must be held within 36 hours of arrest unless the Court issues an order extending temporary detention. The extension must not exceed 72 hours from the time of arrest. If the initial appearance is not held within 36 hours of the arrest, or 72 hours if the detention time is extended, then the defendant must be released.

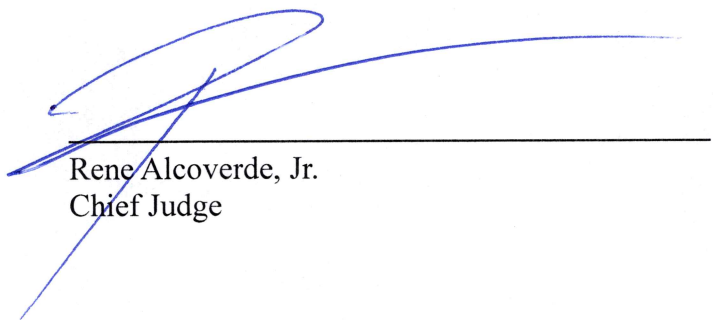
The motion for extension of detention time must cite the details of the necessary delay. Before processing a motion for extension of detention time, the Court requires information from the Tohono O'odham Nation Department of Corrections (Corrections) booking record in order to confirm the person is in custody; verify their identity, date of birth, address, and social security number if available; gather any applicable court records; and prepare the file for a Judicial review¹.

¹ Through a cooperative agreement, Corrections supplies the booking record directly to the Court on the morning after someone is booked.

1 If a booking record is not received from Corrections, the Court will reject the filing of a motion
2 for extension of detention time. Furthermore, a motion for extension of detention time will not be
3 accepted in open Court by a judge.

4 In order to allow time for proper processing of all paperwork, the motion for extension of
5 detention time must be submitted to the Court no later than **9:30 a.m.** on weekdays and **8:30 a.m.**
6 on weekends, holidays, and any other day the Judicial Center is closed. The booking record must
7 be submitted by **8:00 a.m. each day.**

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10 Dated and entered August 31, 2026.



Rene Alcoverde, Jr.
Chief Judge