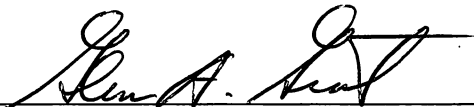


NOTICE TO THE BAR

**AMENDMENT TO RULE 7:10-2(g) – PETITION FOR RELIEF FROM ENHANCED
CUSTODIAL TERM – TIME FOR FILING – PURSUANT TO THE SUPREME COURT’S
DECISION IN *STATE v. CHARUDUTT J. PATEL***

The Supreme Court in its August 7, 2019 decision in State v. Charudutt J. Patel (A-13-18) advised that it was amending Rule 7:10-2(g) so as to remove the time limitations on filing petitions to obtain relief from an enhanced custodial term based on a prior conviction. Slip opinion at 29-30. Published with this notice are the Court’s August 7, 2019 order and the amendments to the rule. The amended rule is effective immediately.



Hon. Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts

Dated: August 7, 2019

SUPREME COURT OF NEW JERSEY

It is ORDERED that the attached amendments to Rule 7:10-2(g) of the Rules Governing the Courts of the State of New Jersey are adopted to be effective immediately.

For the Court,

A handwritten signature in blue ink, appearing to read "Stuart Rosen".

Chief Justice

Dated: August 7, 2019

7:10-2. Post-Conviction Relief

(a) Petition for Relief. ... no change

(b) Limitations and Exclusiveness. ... no change

(c) Grounds. ... no change

(d) Bar of Grounds Not Raised in Prior Proceedings; Exceptions. ... no change

(e) Assignment of Counsel. ... no change

(f) Procedure. ... no change

(g) Petition to Obtain Relief from an Enhanced Custodial Term Based on a Prior Conviction

(1) Venue. ... no change

(2) Time [Limitations] for Filing. [The time limitations for filing petitions for post-conviction relief under this section shall be the same as those set forth in R. 7:10-2(b)(2).] A petition seeking relief under this paragraph may be filed at any time.

(3) Procedure. ... no change

(4) Appeal. ... no change

Note: Source - Paragraph (a): R. (1969) 3:22-1; paragraph (b)(1),(2): R. (1969) 3:22-12; paragraph (b)(3): R. (1969) 3:22-3; paragraph (c): R. (1969) 7:8-1, 3:22-2; paragraph (d)(1): R. (1969) 3:22-4; paragraph (d)(2): R. (1969) 3:22-5; paragraph (e): R. (1969) 3:22-6(a),(c),(d); paragraph (f)(1): R. (1969) 3:22-7; paragraph (f)(2): R. (1969) 3:22-8; paragraph (f)(3): R. (1969) 3:22-9; paragraph (f)(4): R. (1969) 3:22-10; paragraph (f)(5): R. (1969) 3:22-11. Adopted October 6, 1997 to be effective February 1, 1998; new subparagraph (f)(2)(G) and new paragraph (g) adopted June 15, 2007 to be effective September 1, 2007; paragraph (g)(2) amended July 16, 2009 to be effective September 1, 2009; paragraph (g)(2) caption and text amended August 7, 2019 to be effective immediately.