

Procedures for the 9:00 Duty Calendar

Tucson Cases

- **Effective with Initial Appearances on Thursday, January 22, 2026**

In Tucson cases, when a case is ready for a change of plea hearing, please note the updated process.

1. Defendants charged by a Petty or Flip-Flop Complaint will continue to be initialed per the current procedure.
2. The DH/PH (and possible COP/Sentencing) for a flip flop case will be scheduled on the 9:00 AM Duty calendar 10 business days from the initial appearance date. The DH (and possible COP/Sentencing) for a 1-count petty or 1-count misdemeanor (19:1459) case will be scheduled on the 9:00 AM Duty calendar 5 business days from the initial appearance date.
3. The USAO will provide a packet containing an Information, a Waiver of Indictment, and a Plea Agreement to the duty AFPD at initials for distribution to appointed counsel. Defense counsel are instructed to call Jay Marble, Judy Gordon, or Maria South to receive packets. The USAO is urged to please sign and date all documents.
4. Defense counsel will add the MJ case number to all documents, including the Information. Defense counsel may digitally or wet sign all documents on behalf of defendants so long as the signatures clearly identify who the attorney is. **S/ signature will NOT be accepted.**
5. Defense counsel will present the plea offer to the defendant. Defense counsel are encouraged to communicate with defendants via video conference from CCA when available. If the plea is accepted, defense counsel will email, no later than 4 business days prior to the scheduled DH/PH, all documents to tucinfopackets@azd.uscourts.gov and copy the USAO box USAAG.FlipFlop@usdoj.gov. The Waiver of Indictment and Information must be digitally or wet signed. The plea agreement may be submitted without signature.
6. Counsel will notify chambers when documents are amended rather than emailing them to the tucinfopackets@azd.uscourts.gov mailbox. Counsel will bring the amended documents to court and give them to the clerk prior to the start of proceedings.
7. Defense counsel are reminded that they must submit a separate email for each defendant, with each document scanned separately within the email. The subject line of the email shall include the date of the hearing, Flip Flop, the defendant's name, and the MJ case number. (12/13 - FLIP FLOP – John Doe - 23-mj-1234)
8. The CPS docketing staff will review the documents, return for corrections, if necessary, open a new criminal case and randomly assign a presiding Magistrate Judge. The new case number and judge assignment will be emailed to defense counsel.
9. The COP/Sentencing will be held as scheduled before the AM Duty Magistrate Judge.
10. If defense counsel does not email a completed plea packet at least 4 business days prior to the hearing, the COP/Sentencing will not go forward. Instead, a DH/PH will be conducted, and a COP/Sentencing date continued to a later date before the AM duty Magistrate Judge. The MCC will provide defense counsel with dates on a future calendar. Counsel should keep in mind the dates below will vary during weeks containing a holiday.

For a DH/PH scheduled on:	The packet must be emailed by:
Monday	Tuesday prior to the hearing
Tuesday	Wednesday prior to the hearing
Wednesday	Thursday prior to the hearing
Thursday	Friday prior to the hearing
Friday	Monday prior to the hearing

11. If the defendant does not accept the plea offer, the DH/PH will go forward as scheduled. If requested by the USAO, the Magistrate Judge will dismiss the petty misdemeanor/misdemeanor charge, and the case will proceed on the felony charge by indictment or by information if the defendant chooses to later waive his or her right to be indicted.
12. The consent for misdemeanor cases 8:1324(a)(2)(A), Bringing in Illegal Aliens without Authorization, and 18:1028, Possession of False Identification Document, and 19:1459, Reporting Requirements for Individuals is not required to be emailed within the four-business day deadline. The defendant's consent may be obtained when the plea agreement is reviewed or in the courtroom prior to the DH/PH proceeding. The AUSA will sign the consent in the courtroom and counsel will submit it to the clerk.
13. In a multi-defendant flip-flop case involving material witnesses, since a separate criminal case is opened for each defendant, the USAO is instructed to provide an Order Releasing Material Witness in each of the defendant's packets.
14. Defense counsel and the USAO are instructed to please communicate any unusual circumstance or request to continue to the MCC prior to the Magistrate Judge taking the bench.
15. The courtroom doors will open at 8:30 a.m. Defense counsel are kindly asked to arrive promptly to consult with their clients and avoid causing a delay to the start of proceedings.