5-03/130.15 - No Complaint Issued - No Order for Release

Prisoners who are taken to court but do not have charges filed while at court are to be returned to the arresting agency or Sheriff's station or in the case of returnees or CHP arrests, to MCJ/CRDF.

A "no filing" is not a release order, but merely a notification that a particular case was not filed that day. Unless the prisoners are imperative releases (which is determined by the responsible agency), they will be returned to court the next day.

Under certain circumstances, Court Services Transportation Bureau will handle imperative releases, although not routinely handled by this bureau. If the prisoner's attorney or other party advises that the prisoner should be released and verification is received of a no filing, advise the person to contact IRC/CRDF. Upon proper authorization from IRC/CRDF, release the prisoner per normal release procedures.