Rule 29C. Dismissal of allegations during or after trial.

(a) At the conclusion of the prosecution's evidence, or at the conclusion of all the evidence, the court will dismiss any petition, or any allegation thereof, if the evidence is not legally sufficient to establish the offense charged therein or any lesser included offense.

(b) The court will enter a ruling on any oral motion to dismiss made at the conclusion of the prosecution's evidence before the defense is called upon to present its case.

(c) If the court grants a motion to dismiss any allegation during or after trial, the court will dismiss that allegation with prejudice.

(d) If the court finds in its ruling that the evidence proves a lesser included offense or a different offense, the court, upon a motion from an interested party or its own motion, may direct that the petition be amended to conform to the evidence in accordance with Utah Code section 80-6-305(4).

Effective date: