



## Ohio Revised Code

### Section 2937.05 Discharge of defendant - amendment of complaint.

Effective: January 1, 1960

Legislation: Senate Bill 73 - 103rd General Assembly

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If the motion pursuant to section 2937.04 of the Revised Code be sustained, accused shall be discharged unless the court or magistrate finds that the defect can be corrected without changing the nature of the charge, in which case he may order the complaint amended or a proper affidavit filed forthwith and require the accused to plead thereto. The discharge of accused upon the sustaining of a motion to dismiss shall not be considered a bar to further prosecution either of felony or misdemeanor.

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