## Rule 26.3. Mistrial

Before ordering a mistrial, the court must give each defendant and the government an opportunity to comment on the propriety of the order, to state whether that party consents or objects, and to suggest alternatives.

## **COMMENT TO 2016 AMENDMENTS**

This rule has been redrafted to conform to the general restyling of the federal rules in 2002. It is identical to the federal rule.