

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.4331 Habeas corpus; refusal or neglect to obey; arrest; close custody; proceeding against sheriff; prisoner to be brought before court; power of county.

Sec. 4331. (1) If the person upon whom the writ of habeas corpus was duly served refuses or neglects to obey the writ without sufficient excuse, the court or judge before whom the writ was to be answered, upon due proof of the service thereof, shall direct the arrest of such person.

(2) The sheriff of any county within this state, or other officer, who is directed to make the arrest, shall apprehend such person, and bring him before the court or judge. The person shall be committed to close custody in the jail of the county in which the court or judge is, without being allowed the liberties thereof, until the person complies with the writ.

(3) If the person ordered arrested is the sheriff of any county, the order may be directed to any coroner or other person, to be designated therein, who has thereby full power to arrest the sheriff. Such sheriff upon being brought up may be committed to the jail of any county other than his own.

(4) The person directed to make the arrest shall also bring the prisoner named in the writ of habeas corpus before the court or judge which issued the writ.

(5) In making the arrest the sheriff or other person so directed may call to his aid the power of the county as in other cases.

History: 1961, Act 236, Eff. Jan. 1, 1963.