

UNIFORM CRIMINAL EXTRADITION ACT (EXCERPT)
Act 144 of 1937

780.3 Form of demand.

Sec. 3. Form of demand. No demand for extradition of a person charged with a crime in another state shall be recognized by the governor unless in writing, accompanied by the following papers:

- (1) Governor's requisition under the seal of the state;
- (2) Prosecutor's application for requisition for the return of a person charged with crime, wherein shall be stated:
 - (a) The name of the person so charged;
 - (b) The nature of the crime;
 - (c) The approximate time, place and circumstances of its commission;
 - (d) That the accused was present in demanding state at the time of commission of alleged crime;
 - (e) That he thereafter fled from the state;
 - (f) The state in which he is believed to be, including the location of the accused therein, at the time the application is made; certifying that, in the opinion of the said prosecuting attorney, the ends of justice require the arrest and return of the accused to the demanding state for trial, and that the proceeding is not instituted to enforce a private claim;
- (3) Verification by affidavit of said application, which shall be accompanied by certified copies of the indictment returned, or information and affidavit filed, or of the complaint made to the judge or magistrate, and the warrant issued thereupon, stating the offense with which the accused is charged, or of the judgment of conviction or of a sentence imposed in execution thereof, together with a statement by executive authority of the demanding state that the person claimed has escaped from confinement or has broken the terms of his bail, probation or parole. Affidavits or documents as the prosecutor may deem proper may be submitted with such application;
- (4) Executive warrant, under the seal of the state, authorizing agent, therein named, to receive the person demanded;
- (5) The indictment, information, or affidavit made before the magistrate must substantially charge the person demanded with having committed a crime under the law of that state; and the copy of indictment, information, affidavit, judgment or conviction or sentence must be authenticated by the executive authority making the demand.

History: 1937, Act 144, Eff. Oct. 29, 1937;—CL 1948, 780.3.