



**THIRD JUDICIAL CIRCUIT  
OF MICHIGAN**

ROBERT J. COLOMBO, JR.  
CHIEF JUDGE

701 COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE  
DETROIT, MICHIGAN 48226-3413

(313) 224-5430

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**LOCAL ADMINISTRATIVE ORDER 2014-23**

**STATE OF MICHIGAN  
THIRD JUDICIAL CIRCUIT**

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**SUBJECT: PROCEDURE FOR THE ISSUANCE OF WRITS OF HABEAS CORPUS  
IN PRE CHARGED MATTERS IN THE THIRD JUDICIAL CIRCUIT**

**IT IS ORDERED:**

Pursuant to MCR 8.110(C) and MCR 3.303, the following procedure regarding the issuance of writs of habeas corpus to inquire into cause of detention involving an arrested individual shall be followed in the Third Judicial Circuit:

1. Docketing.
  - a. A miscellaneous case number from the County Clerk's Office in the Criminal Division shall be assigned to each writ of habeas corpus on the first available business day after any writ is granted.
  - b. Each writ of habeas corpus issued before or after court hours shall be placed on the record on the first available business day after the writ is granted.
2. Case Assignment.
  - a. Requests Made During Court Hours. Only the Presiding Judge or Super-Alternate Judge of the Criminal Division, or in their absence the Chief Judge, shall act on requests for writs of habeas corpus involving an arrested individual during court hours.
  - b. Requests Made When the Court is closed. Only the Emergency Judge shall act on any requests for a writ of habeas corpus involving an arrested individual when the Court is closed. In the event that the Emergency


Judge is unavailable, either the Presiding Judge of the Criminal Division or the Chief Judge may act on a request for a writ of habeas corpus on a pre-charged matter.

- c. Requests for writs of habeas corpus on post-conviction matters shall continue to be assigned to the Civil Division Judges pursuant to the current General Civil Case Assignment Order.

3. General Requirements.

- a. With respect to requests for the writ of habeas corpus made before or after court hours, the judge shall require the person making the request to file a written complaint pursuant to MCR 3.303(C) and 3.303(F)(3) in the Clerk County Clerk's Office in the Criminal Division the next day the court is open.
- b. Before issuing a writ of habeas corpus the judge shall notify the Wayne County Prosecuting Attorney via phone line or other suitable means, and if possible, transmit a copy of the complaint to the Prosecuting Attorney.

**Dated:** August 18, 2014

  
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Hon. Robert J. Colombo, Jr., Chief Judge  
Third Judicial Circuit of Michigan

**Date Approved by SCAO:** December 15, 2014