

# MINNESOTA STATUTES 1979 SUPPLEMENT

## 629.58 EXTRADITION, DETAINERS, ARREST, BAIL

### 629.58 Proceedings on default.

When any person, in any criminal prosecution, under bond either to appear and answer, to prosecute an appeal, or to testify in any court, fails to perform the conditions of the bond, his default shall be recorded, and process issued against the persons bound thereby, or such of them as the prosecuting officer directs. A person so failing to appear and answer shall be apprehended in the manner provided in Rule 6.03 of the rules of criminal procedure. Any surety may, by leave of court, after default, and either before or after process is issued against him, pay to the county treasurer or clerk of court the amount for which he was bound as surety, with such costs as the court shall direct, and be thereupon forever discharged.

[ 1979 c 233 s 37 ]

### 629.61 Arrest of defaulter.

When a defendant in any indictment has been admitted to bail after verdict or trial, and neglects to appear at any time or place at which he is bound to appear and submit to the jurisdiction of the proper court or officer, the court or officer may cause him to be arrested in the manner provided in Rule 6.03, Subdivision 1, of the rules of criminal procedure. In accordance with Rules 6.02 and 6.03 of the rules of criminal procedure, the court or officer may continue the release upon the same conditions or impose different or additional conditions for the principal's possible release.

[ 1979 c 233 s 38 ]

### 629.64 Surrender of principal; conditions of release.

When any principal is so surrendered, the officer or judge to whom he is surrendered shall, in accordance with Rules 6.02 and 6.03 of the rules of criminal procedure, continue the release upon the same conditions or impose different or additional conditions for the principal's possible release.

[ 1979 c 233 s 39 ]

## CHAPTER 630. PRE-TRIAL PROCEDURE

Sec.		Sec.	
630.01	Repealed.	630.18.	Grounds for dismissal; waiver.
630.02	Repealed.	630.19	Repealed.
630.03	Repealed.	630.20	Repealed.
630.04	Repealed.	630.21	Repealed.
630.05	Repealed.	630.22	Repealed.
630.06	Repealed.	630.23	Repealed.
630.07	Repealed.	630.24	Repealed.
630.08	Repealed.	630.25	Repealed.
630.09	Repealed.	630.26	Repealed.
630.10	Repealed.	630.27	Repealed.
630.11	Repealed.	630.28	Repealed.
630.13	Repealed.	630.29	Repealed.
630.14	Repealed.	630.30	Repealed.
630.15	Repealed.	630.34	Repealed.
630.16	Repealed.		

630.01	[ Repealed, 1979 c 233 s 42 ]
630.02	[ Repealed, 1979 c 233 s 42 ]
630.03	[ Repealed, 1979 c 233 s 42 ]
630.04	[ Repealed, 1979 c 233 s 42 ]
630.05	[ Repealed, 1979 c 233 s 42 ]
630.06	[ Repealed, 1979 c 233 s 42 ]
630.07	[ Repealed, 1979 c 233 s 42 ]
630.08	[ Repealed, 1979 c 233 s 42 ]
630.09	[ Repealed, 1979 c 233 s 42 ]
630.10	[ Repealed, 1979 c 233 s 42 ]
630.11	[ Repealed, 1979 c 233 s 42 ]
630.13	[ Repealed, 1979 c 233 s 42 ]
630.14	[ Repealed, 1979 c 233 s 42 ]
630.15	[ Repealed, 1979 c 233 s 42 ]
630.16	[ Repealed, 1979 c 233 s 42 ]

# MINNESOTA STATUTES 1979 SUPPLEMENT

## PRE-TRIAL PROCEDURE 630.18

### 630.18 Grounds for dismissal; waiver.

In addition to the grounds for dismissal of an indictment specified in Rules 17.06, Subdivision 2, and 18.02, Subdivision 2, of the rules of criminal procedure and subject to the provisions of Rules 17.06, Subdivision 1, and 31.01, of the rules of criminal procedure, the indictment shall be dismissed by the court in which the defendant is arraigned, upon his motion, in any of the following cases:

- (1) When the indictment is not found, endorsed or presented as prescribed in sections 628.41 to 628.66 relating to grand juries;
- (2) When the names of the witnesses examined before the grand jury are not inserted at the foot of the indictment or endorsed thereon;
- (3) When a person was permitted to be present at the session of the grand jury while the charge embraced in the indictment was under consideration, except as provided by section 628.63 and Rule 18.04 of the rules of criminal procedure;
- (4) When the grand jury by which the indictment was found had no legal authority to inquire into the offense charged, by reason of the offense charged not being within the local jurisdiction of the county;
- (5) When the indictment does not substantially conform to the requirements of sections 628.10 to 628.13, as qualified by section 628.18, or was not found within the time prescribed therein;
- (6) When more than one offense is charged in the indictment, except in cases where it is allowed by statute;
- (7) When the facts stated do not constitute a public offense; or
- (8) When the indictment contains any matter which, if true, would constitute a legal justification or excuse of the offense charged, or other legal bar to the prosecution.

If the motion to dismiss the indictment is not made, the defendant shall be precluded from afterwards making any of the foregoing objections except that the objection to lack of jurisdiction specified in clause (4) and the objection of failure of the indictment to include facts stating a public offense specified in clause (7) shall be noticed by the court at any time during the pendency of a proceeding. Failure to include any objections constitutes a waiver thereof, but the court for good cause shown may, in accordance with Rule 10.03 of the rules of criminal procedure, grant relief from the waiver.

[ 1979 c 233 s 40 ]

630.19 [ Repealed, 1979 c 233 s 42 ]

630.20 [ Repealed, 1979 c 233 s 42 ]

630.21 [ Repealed, 1979 c 233 s 42 ]

630.22 [ Repealed, 1979 c 233 s 42 ]

630.23 [ Repealed, 1979 c 233 s 42 ]

630.24 [ Repealed, 1979 c 233 s 42 ]

630.25 [ Repealed, 1979 c 233 s 42 ]

630.26 [ Repealed, 1979 c 233 s 42 ]

630.27 [ Repealed, 1979 c 233 s 42 ]

630.28 [ Repealed, 1979 c 233 s 42 ]

630.29 [ Repealed, 1979 c 233 s 42 ]

630.30 [ Repealed, 1979 c 233 s 42 ]

630.34 [ Repealed, 1979 c 233 s 42 ]