

## CHAPTER 589

### HABEAS CORPUS

589.02 Petition; to whom and how made.

589.29 Appeals.

589.30 Hearing on appeal; costs; papers.

#### 589.02 PETITION; TO WHOM AND HOW MADE.

Application for the writ shall be by petition, signed and verified by the petitioner, or by some person in his behalf, to the supreme court, court of appeals, or to the district court of the county within which the petitioner is detained. Any judge of the court to which the petition is addressed, being within the county, may grant the writ. If there is no judge within the county capable of acting and willing to grant the writ, it may be granted by a judge in any adjoining county.

**History:** 1983 c 247 s 198

#### 589.29 APPEALS.

Any party aggrieved by the final order in proceedings upon a writ of habeas corpus may appeal to the court of appeals as in other civil cases, except that no bond shall be required of the appellant. Upon filing notice of appeal with the clerk of the district court, and payment or tender of his fees, the clerk shall make, certify, and return to the clerk of the appellate courts copies of the petition, writ, return of respondent, answer, if any, of the relator, and the order appealed from.

**History:** 1983 c 247 s 199

#### 589.30 HEARING ON APPEAL; COSTS; PAPERS.

The appeal may be heard before the court of appeals upon application of either party to the court or a judge of it. The order fixing the time of hearing, which shall not be less than six nor more than 15 days from the date of application, shall be served on the adverse party at least five days before the date fixed. No costs or disbursements shall be allowed any party to the appeal, nor shall any of the papers used on the hearing be required to be printed.

**History:** 1983 c 247 s 200