

CHAPTER 1
FORMS FOR MILITARY PROCESS
[Prior to 8/21/91, Public Defense Department(650) Ch 1]

611—1.1(29B) Forms. The following forms are prescribed by the adjutant general of Iowa pursuant to the provisions of Iowa Code chapter 29B and shall be used by all military courts in the issuance of all process, including writs and warrants necessary and proper to carry into full effect the powers vested in such courts. Such process may be directed to appropriate military personnel, the sheriff of any county or any other peace officer of the state. It shall be the duty of all persons to whom such process may be so directed to execute the same and make return of their acts thereunder according to the requirements of the same.

The keepers and wardens of all city or county jails and of all other jails, penitentiaries or prisons, designated by the governor or the adjutant general of the state, shall receive the bodies of persons committed by such process of a military court and confine them in the manner provided by law for civilian offenders.

1.1(1) Form of warrant of arrest.

STATE OF IOWA—NATIONAL GUARD

WARRANT FOR ARREST OF DEFENDANT

(Summary—Special—General) Court-Martial. No.

To: having
(Military Official, Sheriff or Peace Officer)

disobeyed an order in writing from the convening authority of the above Court to appear before said Court, a copy of the said charge or charges having been delivered to the accused with such order, you are therefore, in accordance with Iowa Code chapter 29B, commanded to arrest and bring that person forthwith before this Court, or hold that person for said Court by delivering that person into the custody of the Sheriff of County.

The said has been charged with

(President—Summary Court Officer)

RETURN

Received the within Warrant the day of, 19,
at and executed by
at on, 19

1.1(2) Form of judgment and commitment.

STATE OF IOWA—NATIONAL GUARD

JUDGMENT AND COMMITMENT

STATE OF IOWA. Court Martial No

vs

On this day of, 19, the defendant herein was
tried by Court-Martial on the charge of

and the Court has entered a finding of guilty (and the defendant has pleaded guilty of such charge).

It is adjudged that the defendant is hereby committed to the custody of
. for imprisonment for a period of

The

(Summary Court-Martial) (Special Court-Martial) (General Court-Martial)

convened at imposed a sentence upon said defendant by fining that person the sum of \$ and the defendant is in default on the payment of said fine, and it is therefore adjudged that defendant for the said default be hereby committed to the custody of for a period of

Therefore, under the provisions of Iowa Code chapter 29B, you are hereby directed to take into custody the person of the said and confine that person to the (County or City) Jail of County, therein to be confined in accordance with the sentence aforesaid and for so doing this shall be sufficient warrant.

I, (Summary Court Officer) (President) certify that the above judgment is a true and correct copy of the record thereof.

RETURN

I have executed the within judgment and commitment as follows: Defendant delivered on to

Defendant noted appeal on Defendant released on

1.1(3) Form of subpoena.

STATE OF IOWA—NATIONAL GUARD

SUBPOENA

STATE OF IOWA SS

COUNTY OF

The State of Iowa to

You are hereby commanded to appear before the (General—Special—Summary) Court-Martial at

in, Iowa, at 9:00 o'clock a.m. on the day of, 19, to give evidence in a case between the State of Iowa, Plaintiff, and, Defendant, on the part of the said and this you shall in nowise omit, under penalty of the law.

Witness my hand hereunder affixed at, Iowa thisday of, 19

(Summary Court Officer—President)

RETURN

I received the within subpoena the day of, 19, and served the same on the following witnesses by reading and showing the original to each of them and delivering to each of them a copy thereof; all done in County, Iowa.

BY: Deputy

1.1(4) Form of subpoena—duces tecum.

SUBPOENA—DUCES TECUM

STATE OF IOWACOUNTY, SS.

The State of Iowa to

You are hereby commanded to appear before the Court-Martial of the State of Iowa, at 9:00 o'clock a.m. on the day of 19, to give evidence in a case between the State of Iowa, Plaintiff, and , Defendant, on the part of said and that you have then with you

and this you shall in nowise omit, under penalty of the law.

Dated this day of, 19

RETURN

Received the within subpoena the day of, 19, and served the same on the following witnesses by reading and showing the original to each of them and delivering to each of them a copy thereof; all done in County, Iowa.

BY:

Deputy

These rules are intended to implement chapter 29B of the Code.

[Filed 8/6/63; amended 11/27/65]

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