

THE CODE OF CRIMINAL PROCEDURE (EXCERPT)
Act 175 of 1927

766.7 Adjournment, continuance, or delay of preliminary examination.

Sec. 7.

A magistrate may adjourn a preliminary examination for a felony to a place in the county as the magistrate determines is necessary. The defendant may in the meantime be committed either to the county jail or to the custody of the officer by whom he or she was arrested or to any other officer; or, unless the defendant is charged with treason or murder, the defendant may be admitted to bail. The defendant may waive the preliminary examination with the consent of the prosecuting attorney. An adjournment, continuance, or delay of a preliminary examination may be granted by a magistrate without the consent of the defendant or the prosecuting attorney for good cause shown. A magistrate may adjourn, continue, or delay the examination of any cause with the consent of the defendant and prosecuting attorney. An action on the part of the magistrate in adjourning or continuing any case does not cause the magistrate to lose jurisdiction of the case.

History: 1927, Act 175, Eff. Sept. 5, 1927 ;-- CL 1929, 17199 ;-- CL 1948, 766.7 ;-- Am. 1974, Act 63, Eff. May 1, 1974 ;-- Am. 2014, Act 123, Imd. Eff. May 20, 2014

Compiler's Notes: Section 2 of Act 63 of 1974 provides: "Effective date." Section 2. To give judges, prosecutors, and defense counsel a reasonable opportunity to become aware of and familiar with the time periods and sequence prescribed in this amendatory act and the effects of noncompliance, sections 20 and 21 of chapter 8 of Act No. 175 of the Public Acts of 1927, being sections 768.20 and 768.21 of the Michigan Compiled Laws, as amended by this amendatory act shall take effect May 1, 1974, and apply to cases in which the arraignment on an information occurs on or after that date. The other provisions of this amendatory act shall take effect May 1, 1974 and apply to offenses committed on or after that date." Enacting section 1 of Act 123 of 2014 provides: "Enacting section 1. This amendatory act applies to cases in which the defendant is arraigned in district court or municipal court on or after January 1, 2015."

Former Law: See section 10 of Ch. 163 of R.S. 1846, being CL 1857, Â§ 5986; CL 1871, Â§ 7852; How., Â§ 9463; CL 1897, Â§ 11847; and CL 1915, Â§ 15674.