

Ex parte Barnett

The trial court found Barnett to be in contempt and issued a notice to the sheriff, directing him to take Barnett into custody until the amount of past due child support and other costs listed in the notice had been fully paid. No written judgment of contempt was entered. Barnett requested habeas relief from the Court of Criminal Appeals, which was granted. The Court noted that there was no defined form for a commitment order, stating that a valid order could be shown by an authenticated copy of the court's judgment or a separate order issued by the court. The Court's decision affirmed, however, that in all cases where a person is ordered to be imprisoned for contempt, both a written judgment of contempt and a written commitment order are necessary. The Court went on to state that the trial court could have a person detained for a reasonable time while a written order is prepared, but in this case, the trial court lost jurisdiction over the case due to Barnett's appeal before a written order was actually issued.