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ORIGINAL

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

**FILED
SUPREME COURT
STATE OF OKLAHOMA**

MAR -5 2018

**JOHN D. HADDEN
CLERK**

RANDA KAYLIE LUDLOW,)
)
 Petitioner,)
)
 v.)
)
 RICK SILVER, SHERIFF OF)
 WASHINGTON COUNTY, OKLAHOMA,)
)
 Respondent.)

No. 116,802

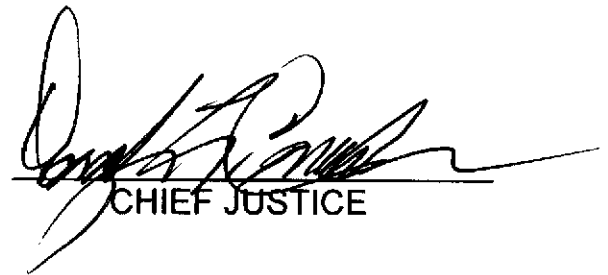
Rec'd (date)	3-5-18
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ORDER

Original jurisdiction is assumed. Art. 7 § 4, Okla.Const. The petition for the writ of *habeas corpus* is granted. On the face of the judgment roll the order of contempt by which Petitioner was remanded into the custody of the Respondent-Sheriff is **void**. Art. 2 § 25, Okla.Const.; 21 O.S.2011 §§ 565.1, 568; *State ex rel. Young v. Woodson*, 1974 OK 54, ¶ 5, 522 P.2d 1035, 1037; *Woody v. State ex rel. Allen*, 1977 OK CR 308, ¶ 2, 572 P.2d 241, 242; *Burris v. Hunt*, 1998 OK CIV APP 125, ¶ 5, 965 P.2d 1003, 1005. *Neither* the "court minute" filed on November 9, 2017, *nor* the "Contempt Court Minute" filed on January 9, 2018, may lawfully be used as a basis for the imposition of punishment against Petitioner for direct contempt of court in the underlying proceeding, Cause No. CV-2017-86, on the docket of the District Court, Washington County. See *Brooks v. Baltz*, 2000 OK 73, ¶ 9, 12 P.3d 467, 470.

This order shall serve as the writ of *habeas corpus*, and the Respondent-Sheriff is hereby commanded immediately to release Petitioner from custody. The Respondent-Sheriff shall file a return to the writ with this Court, showing the date, time of Petitioner's release.

DONE BY THE ORDER OF THE SUPREME COURT IN CONFERENCE
THIS 5TH DAY OF MARCH, 2018.



CHIEF JUSTICE

Combs, C.J., Gurich, V.C.J., Kauger, Winchester, Edmondson, Colbert, and Wyrick,
JJ., concur;
Reif, J., not participating.