

(1) probable cause existed; or

(2) the officer acted under the directions of the Secretary of the Treasury, the Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice, or other proper Government officer.

When such certificate has been issued, the amount of the judgment shall be paid out of the proper appropriation by the Treasury.

(June 25, 1948, ch. 646, 62 Stat. 960; Pub. L. 107-296, title XI, §1112(*l*), Nov. 25, 2002, 116 Stat. 2277.)

#### HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §842 (R.S. §989). Changes were made in phraseology.

#### Editorial Notes

##### AMENDMENTS

2002—Par. (2). Pub. L. 107-296 inserted “, the Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice,” after “the Secretary of the Treasury”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

#### § 2007. Imprisonment for debt

(a) A person shall not be imprisoned for debt on a writ of execution or other process issued from a court of the United States in any State wherein imprisonment for debt has been abolished. All modifications, conditions, and restrictions upon such imprisonment provided by State law shall apply to any writ of execution or process issued from a court of the United States in accordance with the procedure applicable in such State.

(b) Any person arrested or imprisoned in any State on a writ of execution or other process issued from any court of the United States in a civil action shall have the same jail privileges and be governed by the same regulations as persons confined in like cases on process issued from the courts of such State. The same requirements governing discharge as are applicable in such State shall apply. Any proceedings for discharge shall be conducted before a United States magistrate judge for the judicial district wherein the defendant is held.

(June 25, 1948, ch. 646, 62 Stat. 960; Pub. L. 90-578, title IV, §402(b)(2), Oct. 17, 1968, 82 Stat. 1118; Pub. L. 101-650, title III, §321, Dec. 1, 1990, 104 Stat. 5117.)

#### HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §§843, 844, and 845 (R.S. §§990, 991, 992; May 28, 1896, ch. 252, §19, 29 Stat. 184; Mar. 2, 1901, ch. 814, 31 Stat. 956; Mar. 3, 1911, ch. 231, §291, 36 Stat. 1167).

Changes were made in phraseology.

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

“United States magistrate judge” substituted for “United States magistrate” in subsec. (b) pursuant to

section 321 of Pub. L. 101-650, set out as a note under section 631 of this title. Previously, “United States magistrate” substituted for “United States commissioner” pursuant to Pub. L. 90-578. See chapter 43 (§631 et seq.) of this title.

#### CHAPTER 129—MONEYS PAID INTO COURT

Sec.

2041.	Deposit of moneys in pending or adjudicated cases.
2042.	Withdrawal.
2043.	Deposit of other moneys.
2044.	Payment of fine with bond money.
2045.	Investment of court registry funds.

#### Editorial Notes

##### AMENDMENTS

2008—Pub. L. 110-406, §8(b), Oct. 13, 2008, 122 Stat. 4293, added item 2045.

1990—Pub. L. 101-647, title XXXVI, §3629(b), Nov. 29, 1990, 104 Stat. 4966, which directed the amendment of the table of sections for chapter 29 by adding item 2044, was executed by adding item 2044 to the table of sections for chapter 129 to reflect the probable intent of Congress.

1982—Pub. L. 97-258, §2(g)(4)(A), (B), Sept. 13, 1982, 96 Stat. 1060, substituted “Deposit of moneys in pending or adjudicated cases” for “Deposit” in item 2041 and added item 2043.

#### § 2041. Deposit of moneys in pending or adjudicated cases

All moneys paid into any court of the United States, or received by the officers thereof, in any case pending or adjudicated in such court, shall be forthwith deposited with the Treasurer of the United States or a designated depository, in the name and to the credit of such court.

This section shall not prevent the delivery of any such money to the rightful owners upon security, according to agreement of parties, under the direction of the court.

(June 25, 1948, ch. 646, 62 Stat. 960; Pub. L. 97-258, §2(g)(4)(C), Sept. 13, 1982, 96 Stat. 1061.)

#### HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §851 (R.S. §995; May 29, 1920, ch. 214, §1, 41 Stat. 654).

Changes were made in phraseology.

#### Editorial Notes

##### AMENDMENTS

1982—Pub. L. 97-258 substituted “Deposit of moneys in pending or adjudicated cases” for “Deposit” in section catchline.

#### Statutory Notes and Related Subsidiaries

##### REGISTRY ADMINISTRATION ACCOUNT

Pub. L. 100-459, title IV, §400, Oct. 1, 1988, 102 Stat. 2211, provided: “That any funds hereafter collected by the Judiciary as a charge for services rendered in administering accounts kept in a court’s registry shall be deposited into a separate account entitled ‘Registry Administration Account’ in the Treasury of the United States. Such funds shall remain available to the Judiciary until expended to reimburse any appropriation for the amount paid out of such appropriation for expenses of the Courts of Appeals, District Courts and Other Judicial Services and the Administrative Office of the United States Courts”.