

**39-1-39 Orders for duty -- How served.**

- (1) Orders for duty may be oral or written. Written orders shall be promulgated by the governor or the adjutant general.
- (2) Officers and enlisted members may be ordered for duty by:
  - (a) stating the substance of the order;
  - (b) reading the order to the person ordered;
  - (c) delivering a copy of the order to the person;
  - (d) leaving a copy at his last-known place of abode or business; or
  - (e) mailing it to the nearest post office.
- (3) The order may be given by an officer or noncommissioned officer.
- (4) If any enlisted member ordered to duty fails to appear for duty, the officer or noncommissioned officer giving notice or order shall make a return containing the name of the person ordered and the time, place, and manner of the order, if required by the officer issuing the order. The return may be verified by his oath, which may be administered by any commanding officer. The verified returns are evidence of the facts stated in the return on the trial of any person.

Amended by Chapter 15, 1989 General Session