

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA**

ORDER AMENDING LOCAL RULES

Appropriate public notice and an opportunity to comment having been given pursuant to Rule 83 of the Federal Rules of Civil Procedure and pursuant to the majority vote of the active judges of this court, **IT IS ORDERED** that the Local Criminal Rules and Local Rules for the United States District Court, Western District of Louisiana, are amended as follows:

LCrR32.1 Sentencing

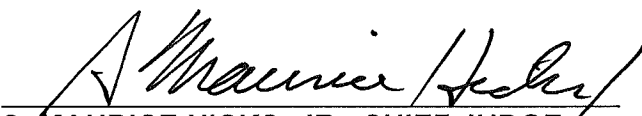
- A. Not less than 35 days prior to sentencing, the probation officer shall file the preliminary presentence investigation report, excluding any sentencing recommendation, notifying counsel for the defendant and the Government. Within 14 days thereafter, counsel shall electronically file any objections they may have as to any material information, sentencing classifications, sentencing guideline ranges, and policy statements contained in or omitted from the report. Access to pre-sentence reports, objections and any sentencing memorandum will be limited to counsel for the applicable defendant and the government as selected by the filer during entry in the record. The Probation Office will make any necessary revisions and submit the final report with an addendum to the court prior to sentencing. Thereafter, the Probation Office will electronically file the final report in the record.
- B. After receiving counsel's objections, the probation officer shall conduct any further investigation and make any revision to the presentence report that may be necessary. The officer may require counsel for both parties to meet with the officer to discuss unresolved factual and legal issues.
- C. No later than seven (7) days prior to the date of the sentencing hearing, the probation officer shall submit the presentence report to the sentencing judge. The report shall be accompanied by an addendum setting forth any objections counsel may have made that have not been resolved, together with the officer's comments thereon. The probation officer shall certify that the contents of the report, including any revisions thereof, but excluding any sentencing recommendations, have been disclosed to the defendant and to counsel for the defendant and the Government, that the content of the addendum has been communicated to counsel, and that the addendum fairly states any remaining objections.

- D. Except with regard to any objection made under subdivision A that has not been resolved, the report of the presentence investigation may be accepted by the court as accurate. The court, however, for good cause shown, may allow a new objection to be raised at any time before the imposition of sentence. In resolving disputed issues of fact, the court may consider any reliable information presented by the probation officer, the defendant, or the Government.
- E. The times set forth in this rule may be modified by the court for good cause shown, except that any period may be diminished only with the consent of the defendant.
- F. As authorized by Federal Rules of Criminal Procedure 32, this court directs that the probation officer not disclose the probation officer's recommendation of sentence to the defendant, the defendant's counsel, or the attorney for the Government.
- G. The presentence report and addendum, along with the written statement of reasons of the district court for imposition of sentence as required by 18 U.S.C. §3553(c), shall be filed in the record under seal by the Court immediately after sentencing.

LR5.7.02 Eligibility and Registration

Attorneys admitted to the bar of this court, including those admitted *pro hac vice*, Federal Public Defenders, and attorneys authorized to represent the United States, may request electronic filing access to the Court through PACER. Registration is available through PACER at www.pacer.gov.

Shreveport, Louisiana, this 10th day of February, 2020.


S. MAURICE HICKS, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT