

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

U. S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
FILED

OCT 6 1994

IN THE MATTER OF:

FORFEITURE OF COLLATERAL
IN LIEU OF APPEARANCE IN
CERTAIN PETTY OFFENSE CASES

ROBERT H. SHERWELL, CLERK
BY _____
DEPUTY

ORDER

Pursuant to Federal Rule of Criminal Procedure 58(d)(1), it is hereby ordered that:

In the interest of justice, efficient court administration, and effective law enforcement concerning the petty offenses listed below, occurring within the territorial jurisdiction of the United States District Court for the Western District of Louisiana, collateral in the amount prescribed below may be posted in lieu of the appearance of the offender;

Upon the election of the person charged with such an offense to post said collateral in lieu of appearance before the United States Magistrate for trial of said offense, the collateral in the amount listed below opposite the offense shall be forfeited to the United States. The posting of such collateral shall signify that the offender neither contests the charge nor requests a hearing before the United States Magistrate, and said collateral shall be administratively forfeited to the United States. If the collateral is forfeited, such action shall be tantamount to a finding of guilty.

There shall be maintained in the office of the Clerk a current list of the petty offenses and fines applicable thereto for which collateral may be accepted;

Pursuant to the foregoing provisions, the offenses for which collateral may be posted in lieu of the appearance of the person charged therewith are:

BUREAU OF LAND MANAGEMENT

VIOLATIONS OF UNITED STATES CODE:

<u>TITLE/SECTION</u>		<u>Collateral fine</u>
16/433	American Antiquities	\$100.00
18/1361	Vandalism	\$100.00
18/1852	Timber removed or transported	Mandatory Appearance
18/1853	Trees cut or injured	Mandatory Appearance
18/1856	Fires left unattended	\$100.00
18/1857	Fences destroyed; livestock entering	\$ 50.00
18/1858	Survey marks destroyed or removed	Mandatory Appearance
43/1061	Unlawful enclosure	Mandatory Appearance
43/1063	Obstruction of transit over Public Lands	\$100.00

VIOLATIONS OCCURRING WITHIN LANDS ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT
CHARGED UNDER CITED SECTIONS OF TITLE 43, CODE OF FEDERAL REGULATIONS.

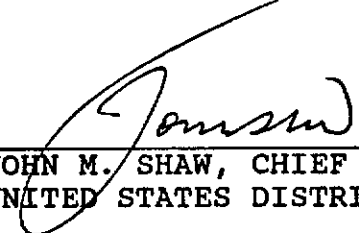
4140.1(b)(1)(i)	Allowing livestock on Public Land without permit or lease.	\$100.00
4140.1(b)(2)	Disturbing or installing range improvements	\$ 50.00
4140.1(b)(3)	Cutting, burning, spraying, destroying or removing vegetation	\$100.00
4140.1(b)(4)	Damaging or removing U.S. Property	\$200.00
4140.1(b)(5)	Molesting livestock	\$100.00
4140.1(b)(6)	Littering	\$100.00
4140.1(b)(7)	Interfering with lawful uses or users	\$100.00
4140.1(b)(8)	False statements	\$200.00
4770.1(g)	Violating term or condition of private maintenance and care agreement	\$100.00
4770.1(h)	Branding a Wild Horse or Burro	\$200.00
4770.1(j)	Violating an order, term, or condition established by the Authorized Officer under this part.	\$150.00
8365.1-4(a)(2)	Creating a hazard or nuisance	\$ 75.00
8365.1-4(a)(3)	Refusing to disperse	\$ 75.00
8365.1-4(a)(4)	Resisting arrest, citation; interfering with officer	Mandatory Appearance
8365.1-4(a)(5)	Assault or battery on BLM Employee	Mandatory Appearance
8365.1-4(a)(6)	False emergency or crime report	\$200.00
9264.7(a)(2)	Converts Wild Horse or Burro to private use	\$100.00
9264.7(a)(3)	Causing death or harassment of Wild Horse or Burro	\$250.00
9264.7(a)(4)	Processes Wild Horse or Burro into Commercial products	\$150.00
9264.7(a)(5)	Selling Wild Horse or Burro	\$250.00
9264.7(a)(6)	Uses Wild Horse or Burro for Commercial exploitation	Mandatory Appearance
9264.7(a)(7)	Inhumane treatment of Wild Horse or Burro	\$250.00
9264.7(a)(8)	Use of Wild Horse or Burro for Bucking stock	\$ 75.00
9264.7(a)(9)	Fails to produce Wild Horse or Burro for inspection	\$100.00
9264.7(a)(10)	Failure to notify of death of Wild Horse or Burro	\$ 75.00
9264.7(a)(11)	Removal or alteration of official mark	Mandatory Appearance

9264.7(a)(12)	Abandoning Wild Horse or Burro	\$200.00
9264.7(a)(13)	Failure to attempt to capture Wild Horse or Burro	\$ 75.00
9264.7(a)(14)	Accepting Wild Horse or Burro for slaughter or destruction	Mandatory Appearance
9264.7(a)(15)	Failure to retain Wild Horse or Burro certification	\$100.00

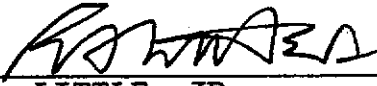
Nothing in the above schedule of violations is meant to preclude a federal officer or official from filing a complaint against a violator and having that violator appear before an appropriate magistrate. If a person charged with an offense in the attached Sections of the Schedule of this rule fails to post and forfeit collateral, any punishment, including fine, imprisonment, or probation, may be imposed within the limits established by law upon conviction by plea or after trial.

This Order shall constitute the Court's policies with regard to collateral forfeiture in the listed petty offense matters and shall supplant any previous orders in that regard.

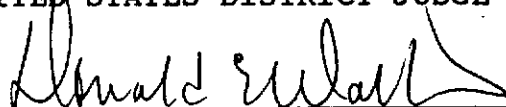
Alexandria, Louisiana, this 6th day of October,
1994.



JOHN M. SHAW, CHIEF JUDGE
UNITED STATES DISTRICT COURT



F. A. LITTLE, JR.
UNITED STATES DISTRICT JUDGE



DONALD E. WALTER
UNITED STATES DISTRICT JUDGE



RICHARD T. HAIK
UNITED STATES DISTRICT JUDGE



JAMES T. TRIMBLE, JR.
UNITED STATES DISTRICT JUDGE

Rebecca F. Doherty

REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE

Tucker L. Melancon

TUCKER L. MELANCON
UNITED STATES DISTRICT JUDGE

COPY SENT

DATE 10-6-94

BY BG

TO: All Deputy Clerks
Mr. Mike Skinner

4-19-95

all Magistrate Judges