

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

**CENTRAL VIOLATIONS
BUREAU COURT**

MAGISTRATE JUDGE PEREZ-MONTES

STANDING ORDER

This Standing Order sets forth the procedures to be followed by all Assistant United States Attorneys (“AUSAs”), officers, and defendants appearing in any Central Violations Bureau (“CVB”) Court proceeding before the undersigned.

A. CVB Court Dates

1. CVB Court will be held every two months, unless the Court establishes a new schedule for CVB Court proceedings.
2. All participants must appear for CVB Court at 8:30 a.m. To allow AUSAs the opportunity to meet with officers and defendants, CVB Court will convene at 9:30. Participants should plan to be available for CVB Court until the late afternoon.
3. Trials will be set to begin at 11:00 a.m. unless the Court specifically advises otherwise.
4. The Court will provide dates for each CVB Court proceeding. For the convenience of all participants, CVB Court dates will not be re-fixed unless exceptional circumstances arise.
5. Officers should write CVB Court dates and times (8:30 a.m.), as well as the Court’s physical address (Federal Building, 515 Murray Street, Second Floor Courtroom), on all citations. Because the citation is a defendant’s first legal notice of the CVB Court date, accuracy is crucial. The Court will provide officers with a schedule of the dates on which officers should begin writing new CVB Court dates.

B. Preparation

1. For each citation, the Court will require testimony to establish either probable cause to continue prosecution, or a factual basis to support a defendant’s guilty plea. Therefore, AUSAs, officers, and to the extent

practicable, defendants, should be prepared to give testimony during CVB Court.

2. To facilitate testimony, both AUSAs and officers must review in advance, and must each bring copies of, all citations for which they are responsible.

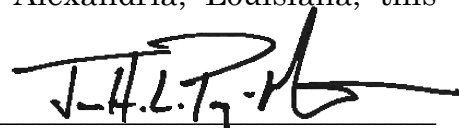
C. Charges

1. In citations, officers must cite federal statutes or regulations, and not the Louisiana Revised Statutes, whenever possible. Officers may only cite the Louisiana Revised Statutes when no federal regulation or statute punishes an offender's conduct. Under the Assimilative Crimes Act, 18 U.S.C. § 13, the Court may apply Louisiana law to an offender's conduct only when no federal statute or regulation applies to the conduct.
2. AUSAs must amend or dismiss any charge which does not comply with the preceding section. Amendments should be made before CVB Court if possible. Amendments will be allowed during CVB Court if necessary.
3. If AUSAs and/or officers wish to dismiss charges for any reason, such dismissals should be made prior to CVB Court if possible.

D. Testimony

1. All officers with pending citations on the Court's docket must appear to testify at CVB Court. Officers will not be allowed to testify on another officer's behalf. If an officer is unavailable to testify, that officer's citations will be continued until the next CVB Court date. Before CVB Court convenes, AUSAs must advise the Court of which officers have failed to appear to testify, along with which defendants may be advised of the next CVB Court date and released.
2. Officers should be prepared to testify regarding the facts underlying a citation, as well as any additional details regarding a potential sentence of community service, restitution, or supervised release.

THUS DONE AND SIGNED in chambers in Alexandria, Louisiana, this
11th day of October, 2016.



Joseph H.L. Perez-Montes
United States Magistrate Judge