U.S DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA
FILED DEC 03 2008
CLERK'S OFFICE

UNITED STATES DSITRICT COURT

MIDDLE DISTRICT OF LOUISIANA

IN THE MATTER OF FORFEITURE OF COLLATERAL IN LIEU OF APPEARANCE IN CERTAIN PETTY OFFENSE CASESIN ACCORDANCE WITH FRCP 58(D) (1)	* * * * *	**GENERAL ORDER :** 2008-13

ORDER

Pursuant to Federal Rules 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 Middle 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 Judge 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 Judge, 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 petty offenses and fines applicable thereto for which collateral may be accepted;

Pursuant to the forgoing provisions of 38 Code of Federal Regulations offenses for which collateral may be posted in lieu of the appearance of the person charged therewith are:

(1) Improper disposal of rubbish on property, $200.

JVP SCR
FJP CN
RET DLD
JJB Finance
USA
USPO

(2) Spitting on property, $25.

(3) Throwing of articles from a building or the unauthorized climbing upon any part of a building, $50.

(4) Willful destruction, damage, or removal of Government property without authorization, $500.

(5) Defacement, destruction, mutilation or injury to, or removal, or disturbance of, gravemarker or headstone, $500.

(6) Failure to comply with signs of a directive and restrictive nature posted for safety purposes, $50.

(7) Tampering with, removal, marring, or destruction of posted signs, $150.

(8) Entry into areas posted as closed to the public or others (trespass), $50.

(9) Unauthorized demonstration or service in a national cemetery or on other VA property, $250.

(10) Creating a disturbance during a burial ceremony, $250.

11) Disorderly conduct which creates loud, boisterous, and unusual noise, or which obstructs the normal use of entrances, exits, foyers, offices, corridors, elevators, and stairways or which tends to impede or prevent the normal operation of a service or operation of the facility, $250.

(12) Failure to depart premises by unauthorized persons, $50.

(13) Unauthorized loitering, sleeping or assembly on property, $50.

(14) Gambling-participating in games of chance for monetary gain or personal property; the operation of gambling devices, a pool or lottery; or the taking or giving of bets, $200.

(15) Operation of a vehicle under the influence of alcoholic beverages or non prescribed narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines, $500.

(16) Entering premises under the influence of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates or amphetamines, $200.

(17) Unauthorized use on property of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines, $300.

(18) Unauthorized introduction on VA controlled property of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines or the unauthorized giving of same to a patient or beneficiary, $500.

(19) Unauthorized solicitation of alms and contributions on premises, $50.

(20) Commercial soliciting or vending, or the collection of private debts on property, $50.

(21) Distribution of pamphlets, handbills, and flyers, $25.

(22) Display of placards or posting of material on property, $25.

(23) Unauthorized photography on premises, $50.

(24) Failure to comply with traffic directions of VA police, $25.

(25) Parking in spaces posted as reserved for physically disabled persons, $50.

(26) Parking in no-parking areas, lanes, or crosswalks so posted or marked by yellow borders or yellow stripes, $25.

(27) Parking in emergency vehicle spaces, areas and lanes bordered in red or posted as EMERGENCY VEHICLESONLY or FIRE LANE, or parking within 15 feet of a fire hydrant, $50.

(28) Parking within an intersection or blocking a posted vehicle entrance or posted exit lane, $25.

(29) Parking in spaces posted as reserved or in excess of a posted time limit, $15.

(30) Failing to come to a complete stop at a STOP sign, $25.

(31) Failing to yield to a pedestrian in a marked and posted crosswalk, $25.

(32) Driving in the wrong direction on a posted one-way street, $25.

(33) Operation of a vehicle in a reckless or unsafe manner, too fast for conditions, drag racing, overriding curbs, or leaving the roadway, $100.

(34) Exceeding posted speed limits:
(i) By up to 10 mph, $25.
(ii) By up to 20 mph, $50.
(iii) By over 20 mph, $100.

(35) Creating excessive noise in a hospital or cemetery zone by muffler cut out, excessive use of a horn, or other means, $50.

(36) Failure to yield right of way to other vehicles, $50.

(37) Possession of firearms, carried either openly or concealed, whether loaded or unloaded (except by Federal or State law enforcement officers on official business, $500.

(38) Introduction or possession of explosives, or explosive devices which fire a projectile, ammunition, or combustibles, $500.

(39) Possession of knives which exceed a blade length of 3 inches; switchblade knives; any of the variety of hatchets, clubs and hand-held weapons; or brass knuckles, $300.

(40) The unauthorized possession of any of the variety of incapacitating liquid or gas-emitting weapons, $200.

(41) Unauthorized possession, manufacture, or use of keys or barrier card type keys to rooms or areas on the property, $200.

(42) The surreptitious opening, or attempted opening, of locks or card-operated barrier mechanisms on property, $500.

(43) Soliciting for, or the act of, prostitution, $250.

(44) Any unlawful sexual activity, $250.

(45) Jogging, bicycling, sledding or any recreational physical activity conducted on cemetery grounds, $50.

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 United States Magistrate Judge. 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.

Baton Rouge, Louisiana, this 3RD day of December, 2008.

Ralph E. Tyson
Chief United States District Judge

James J. Brady
United States District Judge

John V. Parker
United States District Judge

Frank J. Polozola
United States District Judge