

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

IN THE MATTER OF:

Administrative Order
No. **96-11**

COLLATERAL FINES FOR PETTY OFFENSE CASES FOR:

**OFFENSES COMMITTED ON UNITED STATES
POSTAL SERVICE PROPERTY**

**REVISED ORDER OF THE COURT PROVIDING FOR
FORFEITURE OF COLLATERAL IN LIEU OF APPEARANCE**

FILED BY _____
96 JUN 25 PM 4:17
Robert R. DeJolico
CLERK U.S. DIST. CT.
W. D. OF TN, MEMPHIS

In accordance with Rule 58(d)(1), Federal Rules of Criminal Procedure, it is hereby ORDERED that collateral may be posted in lieu of the appearance of the offender in the amount indicated for the offenses listed below, whether originating under the applicable federal statute or federal regulation or applicable state statute by virtue of the Assimilative Crimes Act, 18 U.S.C. §13, and occurring within the territorial jurisdiction of a United States Magistrate Judge. Appearance before a United States Magistrate Judge may be waived, and forfeiture of the collateral may be consented to. Persons charged with offenses listed as "mandatory appearance violations" must appear for trial. Forfeiture will not be permitted on violations contributing to an accident with personal injury or when, in the opinion of the arresting or citing officer or agency, the offense charged was an aggravated offense.

This Order supersedes all prior orders providing for forfeiture of collateral in lieu of appearance that have been promulgated for this District.

Upon the failure of the person charged with an offense or offenses to appear before the United States Magistrate Judge for trial of the offenses listed below, except for those offenses

denominated "mandatory appearance violations," the collateral in the amount listed opposite the offense shall be forfeited to the United States. The posting of collateral shall signify that the offender does not contest the charge nor request a hearing before the designated United States Magistrate Judge.

If a defendant fails to post such collateral, request a hearing or appear in response to a citation or violation notice, the Central Violations Bureau or the Magistrate Judge may issue a notice for the defendant to appear before a Magistrate Judge on a date certain or to post collateral in lieu of appearance in accordance with the following schedules. If a defendant fails to respond to such notice, the Magistrate Judge may issue an arrest warrant or, if no warrant is requested by the attorney for the government, a summons in accordance with 58(d)(3), Federal Rules of Criminal Procedure. Such arrest warrant or summons may provide that the defendant may pay a fixed sum, not to exceed the maximum fine which could be imposed upon conviction, in lieu of personal appearance before the Magistrate Judge.

The Magistrate Judge shall certify the record of any forfeiture of collateral for a moving traffic violation to the proper state authority.

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

OFFENSES COMMITTED ON

UNITED STATES POSTAL SERVICE PROPERTY

OFFENSE 232.1

Forfeiture Amount

(b) Recording Presence:

Failure to sign register upon entering
when required by Security Force \$ 15

(c) Preservation of Property:

Improperly disposing of rubbish and
postal property \$ 25

Spitting on postal property \$ 25

Creating any hazard to persons or things \$ 25

Throwing any articles of any kind from
a building \$ 25

Climbing upon the roof or any part of
building \$ 50

Willfully destroying, damaging, or re-
moving any property or part thereof \$ 50

(d) Conformity with Signs and Directions:

Failure to comply with official signs
of a prohibitory or directory nature \$ 15

Failure to comply with directions of
Security Force personnel and other
authorized individuals \$ 15

(e) Disturbances:

Disorderly conduct \$ 25

(f)	Gambling:	
	Gambling for money or other personal property	\$ 25
	Selling or purchasing of lottery tickets	\$ 25
(g)	Alcoholic Beverages and Drugs:	
	Entering on postal premises under the influence of alcoholic beverages	\$ 25
	Entering property under influence of drug defined as controlled substance	\$ 25
	Selling or using controlled substance (except as medically approved)	\$ 25
	Selling alcoholic beverage	\$ 25
(h)	Soliciting, electioneering, collecting debts, vending, and advertising	\$ 20
(i)	Photographs for news, advertising, or commercial purposes	\$ 50
(j)	Dogs and other animals	\$ 25
(k)	Vehicular and pedestrian traffic:	
	(1) compliance with traffic signs and directions of officer	\$ 25
	(2) blocking entrances, driveways or fire hydrants	\$ 25
	(3) parking without authority	\$ 15
	a. over 18 hours without permission or contrary to postal signs	\$ 25
	b. unauthorized parking in designated handicapped area or reserved locations	\$ 50

(1) **Conduct disruptive of meetings of Board
of Governors **

\$

Entered this the 25th day of June 1996

Julia Smith Gibbons
JULIA S. GIBBONS

James D. Todd
JAMES D. TODD

Jerome Turner
JEROME TURNER

Jon P. McCalla
JON PHIPPS MCCALLA

Bernice B. Donald
BERNICE B. DONALD