

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

IN THE MATTER OF THE TERMINATION
OF CRIMINAL APPEALS

GENERAL ORDER NO. 1

When a mandate from the Supreme Court of the United States or the Eighth Circuit Court of Appeals is received in the District Clerk's office indicating the affirmance of all or a portion of a judgment and sentence of conviction, the District Clerk shall comply with the following procedures:

(A) In all cases where the sentence affirmed requires imprisonment of the defendant, the Clerk is authorized and directed to enter an order (pursuant to this General Order) directing the surrender of the defendant to the United States Marshal. The Clerk is given the authority to order the surrender forthwith or, for good cause, to grant an extension not to exceed fourteen (14) days from the date his office receives the mandate, provided, however, that for mandates received on or after December 1 of a given calendar year and before and including December 24, the Clerk shall order the surrender of the defendant to the United States Marshal on the first business day of the Marshal's office after January 1 of the next calendar year. A form order will suffice, such as the copy attached hereto. A copy of the order shall, immediately after entry thereof, be delivered to the United States Marshal's office.

(B) Where the sentence affirmed requires no imprisonment, but requires a period of probation and/or a fine, the District Clerk will advise the Probation Office of the receipt of the mandate by an appropriate notice, which may be in the form of the notice attached hereto. This notice may be mailed or delivered to the United States Probation Office.

The order or notice required of the Clerk by this General Order shall be entered or given by the Clerk not later than the next working day after the receipt of the mandate. Copies of the order or notice required will also be forwarded forthwith to the United States Attorney's Office, to the defendant's attorney, and to the bondsman for the defendant, if any, by regular mail.

ENTERED this 7th day of December, 1978.

FOR THE COURT:

/s/ Garnett Thomas Eisele
GARNETT THOMAS EISELE, CHIEF JUDGE
UNITED STATES DISTRICT COURT

/s/ Oren Harris
OREN HARRIS
UNITED STATES DISTRICT JUDGE

Amended November 10, 2009

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

(Style of Criminal Case)

ORDER TO SURRENDER

The judgment and sentence of the Court requiring the imprisonment of the defendant(s) having been affirmed and the mandate of the appellate court having been received in the Clerk's office for the Eastern District of Arkansas,

It is hereby Ordered, pursuant to the General Order of this Court dated the 12th day of June, 1975, that the defendant(s) surrender to the custody of the United States Marshal by presenting himself at the office of the United States Marshal, Room 416, United States Post Office and Court House, Little Rock, Arkansas, between the hours of 9:00 a.m. and 12:00 noon on the ____ day of _____, 19____.

Entered this ____ day of _____, 19____.

FOR THE COURT

United States District Clerk

(Alternative)

(Style of Criminal Case)

ORDER TO SURRENDER

The judgment and sentence of the Court requiring the imprisonment of the defendant(s) having been affirmed and the mandate of the appellate court having been received in the Clerk's office for the Eastern District of Arkansas,

It is hereby Ordered, pursuant to the General Order of this Court dated the 12th day of June, 1975, that the defendant(s) surrender forthwith to the United States Marshal at Room 416, United States Post Office and Court House, Little Rock, Arkansas.

Entered this ____ day of _____, 19__.

FOR THE COURT

United States District Clerk

(To the United States Probation Office)

NOTICE OF RECEIPT OF MANDATE

On the _____ day of _____, 19____, the Clerk's office for the Eastern District of Arkansas received the mandate from the appellate court affirming a judgment and sentence of conviction requiring the defendant to serve a period of probation and/or to pay a fine.

You are hereby notified to take jurisdiction of the case for the purpose of carrying out the sentence of the Court.

Dated this _____ day of _____, 19____.

United States District Clerk

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

IN RE STUDENT PRACTICE RULE

GENERAL ORDER NO. 15

The judges of this Court hereby adopt the attached Student Practice Rule for the Eastern
District of Arkansas

DATED this 16th day of May, 1980.

FOR THE COURT

/s/ Garnett Thomas Eisele
GARNETT THOMAS EISELE, CHIEF JUDGE
UNITED STATES DISTRICT COURT

STUDENT PRACTICE RULE FOR THE EASTERN DISTRICT OF ARKANSAS

A. Admission and Representation

Any eligible law student in a law school accredited by the Arkansas Bar Association may, under the conditions stated herein, interview and advise clients, prepare documents for filing with the Court, negotiate, and appear before any magistrate or district court judge in this district.

B. Eligibility

For a student to be eligible to practice under this Rule, the following requirements must be met:

1. The conduct of the case must be under the supervision of a member of the bar of this Court;
 - a. All documents prepared by the student and filed with the Court shall be signed by the student and the supervising attorney.
 - b. When a student appears at the taking of an oral deposition, the supervising attorney must be present.
 - c. The supervising attorney must be present with and prepared to assist the student at any court appearance.
 - d. The supervising attorney must assume full professional responsibility for the student's work.
2. The student must be in his or her final two semesters of law school.
3. No fee may be charged or collected from any person for the student's representation. This does not bar any legal aid organization or any lawyer from compensating the student for services rendered.

4. Written consent must be given by the supervising attorney and by the client for the student to be eligible to practice under this Rule.

C. Certification

Certification of a student by a law school shall be filed with the clerk of the Court, attesting that the student is in the final two semesters of law school. Upon the filing of said certification, the student shall be authorized to practice pursuant to this Rule.

D. Termination

Certification shall terminate if the student does not take the first bar examination following his or her graduation, or if he or she fails it, or if he or she is admitted to full practice before the Court. Otherwise, unless sooner withdrawn by the dean or terminated by a judge of this Court, the certification shall remain in effect for twelve months after the date filed or unless, upon application by the dean of the law school, the Chief Judge of the district shall extend the privilege. The law school may withdraw the certification at any time by submitting a notice to that effect to the clerk of the Court. It is not necessary that the notice state the cause for the withdrawal. Any judge of this Court may terminate the admission to limited practice at any time without notice or hearing of showing of cause.

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

IN RE MAGISTRATE DUTIES
AND RESPONSIBILITIES

GENERAL ORDER NO. 17

Under the Rules of this Court, the full-time United States Magistrates of this district are authorized to conduct debtor examinations. On occasion, persons who have been summoned to appear at such examinations fail to do so, and it appears that there is a need to direct such persons to show cause why they should not be held in contempt of court.

THEREFORE, the Court hereby authorizes the full-time Magistrates of this district to issue show cause orders, conduct necessary hearings on such matters, and to report and recommend to the District Court the action they feel should be taken.

IT IS SO ORDERED.

DATED this 24th day of February, 1981.

/s/ Garnett Thomas Eisele
GARNETT THOMAS EISELE, CHIEF JUDGE
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
EASTERN AND WESTERN DISTRICTS OF ARKANSAS

IN RE FULL-TIME UNITED STATES MAGISTRATES

GENERAL ORDER NO. 19

Pursuant to the authorization of the Judicial Conference of the United States at its September, 1980, meeting, the full-time United States magistrates in both the Eastern and Western Districts of Arkansas are hereby authorized to perform the duties of a magistrate in either district of the state.

DATED this 21st day of August, 1981.

FOR THE COURT

/s/ Garnett Thomas Eisele
Garnett Thomas Eisele, Chief Judge
Eastern District of Arkansas

/s/ Paul X. Williams
Paul X. Williams, Chief Judge
Western District of Arkansas

AUG 23 2005

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

JAMES W. MCCORMACK, CLE.
By: *[Signature]*

ORDER AMENDING FORFEITURE OF COLLATERAL SCHEDULES

Effective this date, Schedule D of General Order No. 20, referencing Title 36, Section 327.2b, "Parking vehicles in violation of posted restrictions" is amended by substituting "\$15.00" for "\$75.00" and Schedule E of General Order No. 20 is no longer in effect.

IT IS SO ORDERED this 23^d day of August, 2005.

FOR THE COURT:

[Signature]

LEON HOLMES, CHIEF JUDGE
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

GENERAL ORDER NO. 20
(Formerly Court Rule No. 22)
(Filed March 12, 1982)

An order relating to the disposition of misdemeanors as defined in Title 18, U.S.C. §3401.

Forfeiture of Collateral

As authorized by Rule 4 of the Rules of Procedure for the Trial of Misdemeanors Before United States Magistrate, adopted by the Supreme Court of the United States by Order dated June 1, 1980, those petty offenses named in the Schedules of Offenses and attached hereto may be disposed of by payment of a fixed sum as provided in said schedule in lieu of a personal appearance before a Magistrate. On receipt by the Clerk of such payment, the proceedings shall be terminated.

Petty offenses are those offenses as defined in 18 U.S.C. §1(3), whether originating under the applicable federal statutes or regulations or under the applicable state statutes, by virtue of the Assimilated Crimes Act (18 U.S.C. §13), occurring within the territorial jurisdiction of the United States Magistrate, including, but not limited to, areas within the boundaries of the United States Military installations, bases, and outposts; Veterans Administration Hospitals; United States Forest Service lands; navigable waterways and reservoirs coming under the jurisdiction of the United States Army Corps of Engineers;

grounds and buildings coming under the jurisdiction of the General Services Administration; or any other area under the exclusive or concurrent jurisdiction of the United States. The schedule of offenses are set out in schedules attached to this order and grouped according to the agency involved.

Upon failure of a person charged with an offense or offenses to appear before the designated United States Magistrate for trial of the offenses listed in the schedules attached, the collateral in the amount specified shall be forfeited to the United States, and the posting of said collateral shall signify that the said offender does not contest the charge nor request a hearing before the designated United States Magistrate. If the collateral is forfeited, such action shall be tantamount to a finding of guilty.

Nothing contained in this Rule shall prohibit a law enforcement officer from arresting a person for the commission of any offense, including those for which collateral may be posted and forfeited, and requiring the person charged to appear before a United States Magistrate, or, upon arrest, taking him immediately before a United States Magistrate.

Where an asterisk (*) is inserted next to the listed violation, no forfeiture will be permitted.

In all other petty offense proceedings, unless otherwise authorized in a specific case, the violator must personally appear before the United States Magistrate for disposition of the charge or for other proceedings directed by law.

All hearings on mandatory appearances or requests to appear will be held by the full-time United States Magistrates in Little Rock; but, for good cause shown and by order of the full-time United States Magistrates, the case may be transferred to another Magistrate.

The offenses for which collateral may be posted in lieu of appearance of a person charged with said offense are set forth in Schedule A, Forest Service; Schedule B, Veterans Administration; Schedule C, General Services Administration; Schedule D, United States Army Corps of Engineers; Schedule E, United States Air Force; Schedule F, National Fish and Wildlife; and Schedule G, National Park Service.

Notwithstanding any of the foregoing schedules of collateral, the United States Magistrate may, upon notice to the Clerk of the Court and to the United States agency involved, reduce collateral for any category of offenses within any stated area within his territorial jurisdiction.

CENTRAL VIOLATIONS BUREAU

There is established in the office of the Clerk at Denver, Colorado, a Central Violations Bureau. This Bureau shall maintain a record of violation notices transmitted by enforcement agencies, a record of all payments made pursuant to Paragraph 1 herein, and shall give appropriate appearance notices to those violators whose offenses are not disposed of as provided in Paragraph 1. The Bureau shall transmit to the Magistrates those notices which require personal appearances and shall maintain other appropriate records as may be necessary to effect the prompt disposition of petty offenses.

There shall be maintained in the office of the Clerk of the Court, in the Central Violations Bureau at Denver, Colorado, and with each United States Magistrate a current list of the petty offenses and the fines applicable thereto for which forfeiture of collateral security may be accepted.

Dated this 12th day of March, 1982.

/s/ Garnett Thomas Eisele
Chief Judge
United States District Court

36 CFR (Subpart A)**SCHEDULE A**
U. S. Department of Agriculture Forest Service**36 CFR 261.3****Interfering with Forest Officers**

(a) Interfering with Forest Officers prohibited	\$350.00
(b) Giving false, fictitious or fraudulent information to Forest Officer	\$250.00
(c) Interfering with Forest Volunteer, Human Resource Enrollee prohibited	\$150.00

36 CFR 261-4**Disorderly Conduct**

(a) Engaging in fighting	\$200.00
(b) Direct annoying verbiage to individual, causing individual to engage in acts of violence	\$150.00
(c) Inciting-lawless action	\$200.00
(d) Making unreasonable noise	\$100.00

36 CFR 261-5**Fire**

(a) Carelessly or negligently placing or throwing substance that may cause fire	\$150.00
(b) Firing tracer bullet	\$100.00
(c) Causing timber(etc.) to burn without permit	\$250.00
(d) Leaving campfire without extinguishing	\$100.00
(e) Allowing fire to escape	\$150.00
(f) Building campfire without removing flammable materials from area	\$ 50.00

36 CFR 261.6**Timber and Other Forest Products**

(a) Cutting or otherwise damaging any forest product without authority	\$300.00
(b) Cutting non-designated timber	\$300.00
(c) Removing timber before scaled	\$250.00
(d) Counterfeit marking of timber	*
(e) Loading (etc.) timber acquired under permit in violation of contract	\$300.00
(f) Selling timber acquired by free use permit	\$100.00
(g) Violating timber export substitution restriction	\$250.00
(h) Removing forest product without permit or contract	\$300.00
(i) Violating Forest Resources Act of 1990	\$*

****No forfeiture permitted – persons charged must appear for trial.***

36 CFR 261.7**Livestock**

(a) Allowing unauthorized livestock on National Forest Land	\$300.00
(b) Refusal to remove livestock	*
(c) Failure to re-close gate	\$100.00
(d) Injuring or releasing impounded livestock	*

36 CFR 261.8**Fish and Wildlife**

(a) Hunting, trapping, fishing	\$150.00
(a) Hunting, taking, possession of big game	\$500.00
(a) Hunting big game in closed season.	\$500.00
(a) Hunting without valid license	\$250.00
(a) Hunting from road	\$250.00
(a) Night Hunting	\$500.00
(a) Baiting wildlife on W.M.A.	\$300.00
(a) Baiting Bear	\$300.00
(a) Fishing without valid license	\$150.00
(a) Possessing fish in slot limit	\$150.00
(a) Possession of over limit fish.	\$150.00
(b) Possessing firearms, etc or implement	\$150.00
(b) Possession of firearm in W.M.A during closed season.	\$150.00
(c) Possessing equipment for hunting, fishing, trapping, etc	\$100.00
(d) Possessing dog not on leash	\$100.00
(e) Curtailing free movement of animal or plant from cave.	\$100.00

36 CFR 261.9**Property**

(a) Damaging natural feature or other property of U.S.	\$300.00
(b) Removing natural feature or other property of U.S.	\$300.00
(c) Damaging plant classified as threatened, endangered, sensitive, rare, or unique	\$300.00
(d) Removing plant classified as threatened, endangered, rare or unique	\$300.00
(e) Unauthorized entrance of U.S. building, structure, or enclosed area	\$300.00
(f) Unauthorized use of herbicide, pesticide, or fungicide	\$300.00
(g) Digging in, excavating, disturbing, injuring, destroying, or in any way damaging any prehistoric, historic, or archaeological resource, structure, site, artifact, or property	\$500.00
(h) Removing any prehistoric, historic, or archaeological resource, structure, site, artifact, or property	\$500.00
(i) Excavating, damaging, or removing any vertebrate fossil or any paleontological resource for commercial purposes without a special use authorization	\$500.00
(j) Excavating, damaging or removing cave resource without authorization	\$*

**No forfeiture permitted – persons charged must appear for trial*

36 CFR 261.10**Occupancy and Use**

(a) Constructing roads, structures, etc without authorization	\$300.00
(b) Using National Forest land for residential purposes	\$150.00
(c) Unauthorized selling or offering for sale merchandise, activity, or service	\$100.00
(d) Discharging firearms or other weapons	\$150.00
(e) Abandoning personal property	\$250.00
(f) Placing vehicles or other objects in an impediment to others	\$150.00
(g) Commercial distribution of printed material w/out authorization	\$*
(h) When commercially distributing printed material, interfering with use of an area, or misrepresenting the purposes, affiliation of those selling or distributing the material or misrepresenting the availability of the material without cost	\$*
(i) Causing disturbance by use of audio devices or motors	\$100.00
(j) Using public address system without approval	\$ 50.00
(k) Use of NFS land or facilities without special use authorization when required	\$200.00
(l) Violating term or condition of permit	\$200.00

**No forfeiture permitted – persons charged must appear for trial*

(m) Failing to stop vehicle when directed by Forest Officer	\$500.00
(n) Failure to pay special use fee or other charges	\$100.00
(o) Discharging a firework or explosive into or within cave	\$*

**No forfeiture permitted – persons charged must appear for trial*

36 CFR 261.11

Sanitation

(a) Depositing damaging objects in plumbing fixtures	\$100.00
(b) Possessing or leaving refuse in unsanitary condition	\$300.00
(c) Pollution of waters	\$500.00
(d) Failing to dispose of garbage properly	\$150.00
(e) Unauthorized dumping of refuse	\$500.00

36 CFR 261.12

Forest Development Roads and Trails

(a) Unauthorized violations of load and weight limitations	\$100.00
(b) Failure to have vehicle weighed when required	\$100.00
(c) Leaving road or trail in damaged condition	\$200.00
(d) Interfering with use of road, trail, or gate	\$200.00

36 CFR 261.13

Use of Vehicles Off Roads

(a) Without valid license	\$100.00
(b) Without operable braking system	\$100.00
(c) Without operable lights during designated period	\$100.00
(d) Violation of noise emission	\$100.00

(e) Being under the influence of alcohol or other drug	*
(f) Creating excessive smoke	\$100.00
(g) Disregarding safety of persons or property	\$300.00
(h) Using vehicles in a manner which disturbs land, wildlife, or vegetative resources	\$300.00
(i) Operating a vehicle in violation of state law for ORVs	\$200.00

36 CFR 261.14

Developed Recreation Sites

(a) Occupancy for purposes other than recreation	\$ 100.00
(b) Building a fire except in authorized structures	\$ 100.00
(c) Improper use of hydrant or faucet	\$ 100.00
(d) Discharging fireworks or explosives	\$ 100.00
(e) Occupancy of day use areas during unauthorized hours	\$ 100.00
(f) Failure to remove personal property when vacating campsite	\$100.00
(g) Placing camping equipment in unauthorized areas	\$ 100.00
(h) Noncompliance of first-night occupancy requirement	\$ 100.00
<u>36 CFR 261.14</u> continued	
(i) Leaving camping equipment unattended for more than 24 hrs	\$ 100.00
(j) Bringing animals on site unless leashed or otherwise restrictively controlled	\$ 100.00
(k) Bringing animal into	\$ 100.00

(l) Bringing or possessing a saddle, pack, or draft animal except as authorized by posted instructions	\$ 100.00
(m) Operating or parking motor vehicle in undesignated areas	\$ 100.00
(n) Operating bicycle or motorcycle on undesignated trail	\$ 100.00
(o) Operating motor vehicle on site except when entering or leaving	\$ 100.00
(p) Depositing body waste except in designated areas	\$ 150.00

36 CFR 261.15

Failure to pay admission, recreation use, and special recreation permit fees

\$ 30.00

36 CFR 261.16

National Forest Wilderness

(a) Possession or use of motor vehicle, motor boat or motorized equipment	\$300.00
(b) Possession or use of hang glider or bicycle	\$150.00
(c) Landing of aircraft or use of aircraft to drop or pick up persons or supplies, unless authorized	\$100.00

36 CFR 261.20

Unauthorized Use of "Smokey Bear" and "Woodsy Owl" Symbol

(a) Manufacture, importation, reproduction, or use of "Smokey Bear" symbol except as provided by regulation	\$100.00
(b) Manufacture, importation, reproduction, or use of "Woodsy Owl" symbol except as provided by regulation	\$100.00

36 CFR (Subpart B)

(To be used only with Supervisor's Order)

36 CFR 261.52**Fire**

(a) Building, maintaining, attending or using a fire, campfire, or stove fire	\$150.00
(b) Using an explosive	*
(c) Smoking	\$150.00
(d) Smoking outside enclosed vehicle, building, developed recreation site, or outside 3-foot barren area	\$150.00
(e) Going into or being upon an area	\$150.00
(f) Possessing, discharging, or using fireworks or other pyrotechnic devices	\$150.00
(g) Entering area without firefighting tool prescribed by order	\$ 50.00
(h) Operating internal combustion engine	\$ 50.00
(i) Welding or operating torch with open flame	\$ 50.00
(j) Operating engine without properly installed and maintained spark arresting device which complies with appropriate standards	\$ 50.00
(k) Violating state burning or fire laws	\$150.00

36 CFR 260.53

Special Closures – Going into or being upon an area closed for the protection of:

(a) Threatened, endangered, rare, unique, or vanishing species of plants, animals, birds, or	\$300.00
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fish	
(b) Special biological communities	\$300.00
(c) Objects or areas of historical, archaeological, geological, or paleontological interest	\$300.00
(d) Scientific experiments or investigations	\$300.00
(e) Public health or safety	\$300.00
(f) Property	\$300.00

36 CFR 261.54

Forest Development Roads – the following are prohibited:

(a) Using prohibited vehicle	\$200.00
(b) Use by any type of traffic prohibited	\$200.00
(c) Using road for commercial hauling without permit	\$250.00
(d) Operating vehicle in violation of speed, load, weight, height, length, width, or other limitations specified by the order	\$200.00
(d) Speeding: Exceeding 1-10 miles per hour over posted limit	\$100.00
Exceeding 11-30 miles per hour over	\$150.00
Posted limit	\$200.00
Exceeding more than 30 miles per hour over posted limit	
(d) Operating motor vehicle on expired license	\$150.00
(d) Operating motor vehicle on suspended license	\$300.00
(d) Operating motor vehicle in violation of	\$100.00

equipment, no helmet	
(d) D.U.I.	*
(d) Driving on revoked license	*
(e) Being on the road	\$200.00
(f) Reckless operation of motor vehicle	\$350.00

36 CFR 261.55

Forest Development Trails – the following are prohibited:

(a) Being on the trail	\$100.00
(b) Using any type of prohibited vehicle	\$200.00
(c) Using any type of traffic or mode of transport prohibited by order	\$200.00
(d) Operating a vehicle in violation of size limitations specified by order	\$100.00
(e) Shortcutting a switchback	\$100.00

**No forfeiture permitted – persons charged must appear for trial*

36 CFR 261.56

Use of vehicles off forest development roads.

\$200.00

36 CFR 261.57

National Forest Wilderness – the following are prohibited:

(a) Entering or being in the area	\$100.00
(b) Possessing camping or pack-outfitting equipment	\$100.00
(c) Possessing firearm or firework	\$100.00
(d) Possessing nonburnable food or beverage containers, except for nonburnable containers designed or intended for repeated use	\$100.00
(e) Grazing	\$100.00
(f) Storing equipment, personal	\$100.00

(g) Disposing of debris, garbage, or other waste	\$250.00
(h) Possessing or using a wagon, cart, or other vehicle	\$ 50.00

36 CFR 261.58

Occupancy and Use – the following are prohibited:

(a) Camping for period longer than allowed	\$100.00
(b) Entering or using developed recreation site	\$100.00
(c) Unauthorized entering or remaining in campground during night periods	\$100.00
(d) Occupying developed recreation site with prohibited camping equipment	\$100.00
(e) Camping	\$100.00
(f) Excessive number of users in campsite	\$ 50.00
(g) Parking or leaving vehicle in violation of posted instructions	\$ 50.00
(h) Parking or leaving vehicle outside assigned parking spot	\$ 50.00
(i) Parking or leaving more than two vehicles except motorcycles or bicycles per camp unit	\$ 50.00
(j) Being publicly nude	\$100.00
(k) Entering or being in a body of water	\$100.00
(l) Being in area after sundown or before sunrise	\$100.00
(m) Discharging firearms, air rifle, or gas gun	\$100.00
(n) Possessing or operating motor boat	\$ 50.00

(o) Water skiing	\$ 50.00
(p) Storing or leaving boat or raft	\$ 50.00
(q) Operating watercraft in excess of posted speed limit	\$100.00
(r) Undesignated boat launching	\$ 50.00
(s) Possessing or transporting a bird, fish or animal	\$ 50.00
(t) Possessing or transporting any part of a tree or plant	\$100.00
(t) Possession of less than one half ounce of marijuana	\$400.00
(t) Possession of one half ounce to one ounce of marijuana	\$700.00
(t) Possession of one ounce or more of marijuana	*
(u) Unauthorized presence in area between 10 p.m. and 6 a.m.	\$100.00
(v) Hunting or fishing	\$150.00
(w) Possessing or transporting motor or mechanical device capable of propelling watercraft	\$100.00
(x) Using mechanical device for overland transport of watercraft	\$ 50.00
(y) Landing of aircraft or dropping or picking up material or person with aircraft	\$100.00
(z) Entering or being on lands or waters in the National Wild and Scenic Rivers System	\$100.00
(aa) Riding, hitching, tethering or hobbling horse or pack animal in violation of posted instructions	\$100.00
(bb) Possessing beverage defined by state law as an alcoholic beverage	\$ 50.00

(bb) Possession of an alcoholic beverage by a person under 21 years of age	\$200.00
(bb) Open container in a motor vehicle	\$100.00
(cc) Possessing or storing any food or refuse	\$ 35.00
(dd) Reserved	
(ee) Depositing any body waste in caves except into designated receptacles	\$*

**No forfeiture permitted – persons charged must appear for trial*

Should circumstances warrant, nothing herein shall preclude the Issuing Officer's prerogative to make any offense a mandatory appearance.

Collateral Payment of Violation Notices

Send to:

Central Violations Bureau
P O Box 740026
Atlanta, Georgia 30374-0026
(1-800-827-2982)

CVB Copies of Violation Notices

Send to:

Central Violations Bureau
P O Box 780549
San Antonio, TX 78278-0549
(210) 308-3776 or 1-800-827-2982

**SCHEDULE B
VETERANS ADMINISTRATION**

APPLICABLE REGULATION	OFFENSE	COLLATERAL
38 CFR		
§ 1.218(b)		
(1)	Improper Disposal of rubbish on property	\$ 25
(2)	Spitting on property	5
(3)	Throwing of articles from a building or the unauthorized climbing upon any part of a building.	10
(4)	Willful destruction, damage, or removal of government property without authorization	50
(5)	Defacement, destruction, mutilation or injury to, or removal, or disturbance of, gravemaker or headstone	50
(6)	Failure to comply with signs of a directive and restrictive nature posted for safety purposes	15
(7)	Tampering with, removal, marring, or destruction of posted signs.	10
(8)	Entry into area posted as closed to the public or others (trespass).	15
(9)	Unauthorized demonstration or service in a national cemetery or on other Veterans Administration property	50
(10)	Creating a disturbance during a burial ceremony	25
(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	35
(12)	Failure to depart premises by unauthorized persons	10

UNLESS OTHERWISE NOTED, ALL ARE CLASS (B) MISDEMEANORS
\$10.00 SPECIAL ASSESSMENT FOR INDIVIDUALS
\$50.00 SPECIAL ASSESSMENT FOR INSTITUTIONS

APPLICABLE REGULATION	OFFENSE	COLLATERAL
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38 CFR

§ 1.218(b)

- | | | |
|------|---|-------|
| (13) | Unauthorized loitering, sleeping or assembly on property | \$ 10 |
| (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. | 25 |
| (15) | Operation of a vehicle under the influence of alcoholic beverages or nonprescribed narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines | * |
| (16) | Entering premises under the influence of alcohol beverages or nonprescribed narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines | 25 |
| (17) | Unauthorized use on property of alcohol beverages or narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines | 50 |
| (18) | Unauthorized introduction on Veterans Administration controlled property of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines or the unauthorized giving of same to a patient or beneficiary | 50 |
| (19) | Unauthorized solicitation of alms and contributions on premises. | 10 |
| (20) | Commercial soliciting or vending, or the collection of private debts on property. | 10 |
| (21) | Distribution of pamphlets, handbills, and flyers | 5 |
| (22) | Display of placards or posting of material on property | 5 |
| (23) | Unauthorized photography on premises. | 10 |

*No forfeiture permitted - persons charged must appear for trial.

APPLICABLE REGULATION	OFFENSE	COLLATERAL
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38 CFR
§ 1.218(b)

(24)	Failure to comply with traffic directions of hospital police	\$ 15
(25)	Parking in spaces posted as reserved for physically disabled persons	25
(26)	Parking in no-parking areas, lanes, or crosswalks so posted or marked by yellow borders or yellow stripes	15
(27)	Parking in emergency vehicle spaces, areas, and lanes bordered in red or posted as EMERGENCY VEHICLES ONLY or FIRE LANE, or parking within 15 feet of a fire hydrant.	20
(28)	Parking within an intersection or blocking a posted vehicle entrance or posted exit lane	10
(29)	Parking in spaces posted as reserved or in excess of a posted time limit	5
(30)	Failing to come to a complete stop at a stop sign	15
(31)	Failing to yield to a pedestrian in a marked or posted crosswalk.	15
(32)	Driving in the wrong direction on a posted one-way street	10
(33)	Operation of a vehicle in a reckless or unsafe manner, drag racing, overriding curbs, or leaving the roadway	35
(34)	Exceeding posted speed limits (i) by up to 10 m.p.h. (ii) by up to 20 m.p.h. (iii) by over 20 m.p.h.	10 15 30
(35)	Creating excessive noise in a hospital or cemetery zone by muffler cut out, excessive use of a horn, or other means	15
(36)	Failure to yield right of way to other vehicles	15

APPLICABLE REGULATION	OFFENSE	COLLATERAL
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38 CFR

§ 1.218(b)

(37)	Possession of firearms, carried either openly or concealed, whether loaded or unloaded (except by Federal or State law enforcement officers on official business)	\$ 50
(38)	Introduction or possession of explosive devices which fire a projectile, ammunition, combustibles	*
(39)	Knives which exceed a blade length of 3 inches; switchblade knives; any of the variety of hatchets, clubs, and hand-held weapons; and brass knuckles	50
(40)	The unauthorized possession of any of the variety of incapacitating liquid or gas-emitting weapons	50
(41)	Unauthorized possession, manufacture, or use of keys or barrier card-type keys to rooms or areas on the property	50
(42)	The surreptitious opening, or attempted opening, of locks or card-operated barrier mechanisms on property	*
(43)	Soliciting for, or the act of, prostitution	*
(44)	Any unlawful sexual activity	*
(45)	Jogging, bicycling, sledding or any recreational physical activity conducted on cemetery grounds	10

*No forfeiture permitted - persons charged must appear for trial.

Federal Management Regulation
Title 41, Code of Federal Regulations, part 102-74
Subpart C—Conduct on Federal Property

APPLICABILITY

§ 102-74.365

The rules in this subpart apply to all property under the authority of the United States General Services Administration and to all persons entering in or on such property. Each occupant agency shall be responsible for the observance of these rules and regulations. Federal agencies must post the notice in the Appendix to this part 102-74 at each public entrance to each Federal facility.

INSPECTION

§ 102-74.370

Federal agencies may, at their discretion, inspect packages, briefcases and other containers in the immediate possession of visitors, employees or other persons arriving on, working at, visiting, or departing from Federal property. Federal agencies may conduct a full search of a person and the vehicle the person is driving or occupying upon his or her arrest.

ADMISSION TO PROPERTY

§ 102-74.375

Penalty: \$50.00 fine

Federal agencies must:

- (a) Close property to the public during other than normal working hours. In those instances where a Federal agency has approved the after-normal working-hours use of buildings or portions thereof for activities authorized by subpart D of this part, Federal agencies must not close the property (or affected portions thereof) to the public.
- (b) Close property to the public during working hours only when situations require this action to ensure the orderly conduct of Government business. The designated official under the Occupant Emergency Program may make such decision only after consultation with the buildings manager and the highest-ranking representative of the law enforcement organization responsible for protection of the property or the area. The designated official is defined in § 102-71.20 of this chapter as the highest ranking official of the primary occupant agency, or the alternate highest ranking official or designee selected by mutual agreement by other occupant agency officials.
- (c) Ensure, when property or a portion thereof is closed to the public, that admission to the property, or the affected portion, is restricted to authorized persons who must register upon entry to the property and must, when requested, display Government or other identifying credentials to Federal police officers or other authorized individuals when entering, leaving or while on the property.

Failure to comply with any of the applicable provisions is a violation of these regulations.

PRESERVATION OF PROPERTY

§ 102-74.380

Penalty: Mandatory Court Appearance and fine of not less than \$50.00 or not more than \$50.00 plus the value of the property taken, damaged or destroyed.

All persons entering in or on Federal property are prohibited from

- (a) Improperly disposing of rubbish on property;
- (b) Willfully destroying or damaging property;
- (c) Stealing property;
- (d) Creating any hazard on property to persons or things;
- (e) Throwing articles of any kind from or at a building or the climbing upon statues, fountains or any part of the building.

CONFORMITY WITH SIGNS AND DIRECTIONS

§ 102-74.385

Penalty: \$75.00 fine

Persons in and on property must at all times comply with official signs of a prohibitory, regulatory or directory nature and with the lawful direction of Federal police officers and other authorized individuals.

DISTURBANCES

§ 102-74.390

Penalty: Fine as listed below.

All persons entering in or on Federal property are prohibited from loitering, exhibiting disorderly conduct or exhibiting other conduct on property which:

- (a) Creates loud or unusual noise or a nuisance; **\$50.00**
- (b) Unreasonably obstructs the usual use of entrances, foyers, lobbies, corridors, offices, elevators, stairways, or parking lots; **\$50.00**
- (c) Otherwise impedes or disrupts the performance of official duties by Government employees; or **\$250.00**
- (d) Prevents the general public from obtaining the administrative services provided on the property in a timely manner. **\$100.00**

GAMBLING

§ 102-74.395

Penalty: \$50.00 fine

Except for the vending or exchange of chances by licensed blind operators of vending facilities for any lottery set forth in a State law and authorized by section 2(a)(5) of the Randolph-Sheppard Act (20 U.S.C. 107 *et seq.*), all persons entering in or on Federal property are prohibited from:

- (a) Participating in games for money or other personal property;
- (b) Operating gambling devices;
- (c) Conducting a lottery or pool; or
- (d) Selling or purchasing of numbers tickets.

NARCOTICS AND OTHER DRUGS**§ 102-74.400**

Penalty: Mandatory Court Appearance and fine up to \$750.00, to be determined by the United States Attorney at court, depending on severity.

Except in cases where the drug is being used as prescribed for a patient by a licensed physician, all persons entering in or on Federal property are prohibited from;

- (a) Being under the influence, using or possessing any narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines; or
- (b) Operating a motor vehicle on the property while under the influence of alcoholic beverages, narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines.

ALCOHOLIC BEVERAGES**§ 102-74.405**

Penalty: \$350.00 fine

Except where the head of the responsible agency or his or her designee has granted an exemption in writing for the appropriate official use of alcoholic beverages, all persons entering in or on Federal property are prohibited from being under the influence or using alcoholic beverages. The head of the responsible agency or his or her designee must provide a copy of all exemptions granted to the buildings manager and the highest-ranking representative of the law enforcement organization, or other authorized officials, responsible for the security of the property.

SOLICITING, VENDING AND DEBT COLLECTION**§ 102-74.410**

Penalty: \$50.00 fine

All persons entering in or on Federal property are prohibited from soliciting commercial or political donations, vending merchandise of all kinds, displaying or distributing commercial advertising, or collecting private debts, except for:

- (a) National or local drives for funds for welfare, health or other purposes as authorized by 5 C.F.R. part 950, entitled "Solicitation Of Federal Civilian And Uniformed Service Personnel For Contributions To Private Voluntary Organizations," and sponsored or approved by the occupant agencies;
- (b) Concessions or personal notices posted by employees on authorized bulletin boards;
- (c) Solicitation of labor organization membership or dues authorized by occupant agencies under the Civil Service Reform Act of 1978 (Pub. L. 95-454); and
- (d) Lessee, or its agents and employees, with respect to space leased for commercial, cultural, educational, or recreational use under the Public Buildings Cooperative Use Act of 1976 (40 U.S.C. § 490(a)(16)). Public areas of GSA-controlled property may be used for other activities in accordance with subpart D of this part.

POSTING AND DISTRIBUTING MATERIALS**§ 102-74.415**

Penalty: \$50.00 fine

All persons entering in or on Federal property are prohibited from:

- (a) Distributing free samples of tobacco products in or around Federal buildings, under Public Law 104-52, Section 636.
- (b) Posting or affixing materials, such as pamphlets, handbills, or flyers, on bulletin boards or elsewhere on GSA-controlled property, except as authorized in §102-74.410, or when these displays are conducted as part of authorized Government activities.
- (c) Distributing materials, such as pamphlets, handbills or flyers, unless conducted as part of authorized Government activities. This prohibition does not apply to public areas of the property as defined in §102-71.20 of this chapter. However, any person or organization proposing to distribute materials in a public area under this section must first obtain a permit from the building's manager as specified in subpart D of this part. Any such person or organization must distribute materials only in accordance with the provisions of subpart D of this part. Failure to comply with those provisions is a violation of these regulations.

PHOTOGRAPHS FOR NEWS, ADVERTISING

§ 102-74.420

Penalty: \$50.00 fine

Except where security regulations apply or a Federal court order or rule prohibits it, persons entering in or on Federal property may take photographs of:

- (a) Space occupied by a tenant agency for non-commercial purposes only with the permission of the occupying agency concerned;
- (b) Space occupied by a tenant agency for commercial purposes only with written permission of an authorized official of the occupying agency concerned; and
- (c) Building entrances, lobbies, foyers, corridors, or auditoriums for news purposes.

DOGS AND OTHER ANIMALS

§ 102-74.425

Penalty: \$50.00 fine

Except seeing eye dogs, other guide dogs and animals used to guide or assist handicapped persons, persons may not bring dogs or other animals on Federal property for other than official purposes.

VEHICULAR AND PEDESTRIAN TRAFFIC

§ 102-74.430

Penalty: Fines as listed below.

All vehicle drivers entering or while on Federal property:

- (a) Must drive in a careful and safe manner at all times; **\$75.00**
- (b) Must comply with the signals and directions of Federal police officers or other authorized individuals; **\$75.00**
- (c) Must comply with all posted traffic signs; **\$75.00**
- (d) Must comply with any additional posted traffic directives approved by the GSA Regional Administrator, which will have the same force and effect as these regulations; **\$75.00**
- (e) Are prohibited from blocking entrances, driveways, walks, loading platforms, or fire hydrants; and **\$75.00**

(f) Are prohibited from parking on Federal property without a permit. **\$30.00**
Parking without authority, parking in unauthorized locations or in locations reserved for other persons, or **\$30.00**
parking contrary to the direction of posted signs is prohibited. **\$200.00/Handicapp**

Vehicles parked in violation, where warning signs are posted, are subject to removal at the owner's risk and expense. Federal agencies may take as proof that a motor vehicle was parked in violation of these regulations or directives as prima facie evidence that the registered owner was responsible for the violation.

EXPLOSIVES

§ 102-74.435

Penalty: Mandatory Court Appearance, fine and/or imprisonment for up to five (5) years.

No person entering or while on Federal property may carry or possess explosives, or items intended to be used to fabricate an explosive or incendiary device, either openly or concealed, except for official purposes. Federal law prohibits the possession explosives in federal facilities and federal court facilities by all persons not specifically authorized by Title 18, United States Code, section 844(g). Violators will be subject to fine and/or imprisonment for periods up to five (5) years.

WEAPONS

§ 102-74.440

Penalty: Mandatory Court Appearance, fine and/or imprisonment for up to five (5) years.

Federal law prohibits the possession of firearms or other dangerous weapons in Federal facilities and Federal court facilities by all persons not specifically authorized by Title 18, United States Code, section 930. Violators will be subject to fine and/or imprisonment for periods up to five (5) years.

NONDISCRIMINATION

§ 102-74.445

Penalty: \$100.00 fine

Federal agencies must not discriminate by segregation or otherwise against any person or persons because of race, creed, sex, color, or national origin in furnishing or by refusing to furnish to such person or persons the use of any facility of a public nature, including all services, privileges, accommodations, and activities provided on the property.

PENALTIES

§ 102-74.450

A person found guilty of violating any rule or regulation in this subpart while on any property under the charge and control of the United States General Services Administration shall be fined under Title 18 of the United States Code, imprisoned for not more than 30 days, or both.

IMPACT ON OTHER LAWS OR REGULATIONS

§ 102-74.455

No rule or regulation in this subpart may be construed to nullify any other Federal laws or regulations or any State and local laws and regulations applicable to any area in which the property is situated (section 205(c), 63 Stat. 390; 40 U.S.C. § 486(c)).

FORFEITURE OF COLLATERAL SCHEDULE
for the
EASTERN COURT DISTRICT OF ARKANSAS

CODE	VIOLATION	FINE
327.1(d)	Discriminating against a person or persons because of sex, race, creed, color, or national origin in the conduct of operation under a Lease, License, or concession contract	Mandatory Appearance
327.2(b)	Parking a vehicle in violation of Posted restrictions	\$15.00
327.2(b)	Parking a vehicle in such a manner As to obstruct or impede the movement of normal traffic or the parking of other vehicles	\$50.00
327.2(b)	Parking a vehicle in such a manner as to obstruct or impede the movement of emergency traffic, create a safety hazard or endanger any person	\$100.00
327.2(b)	Parking a vehicle in such a manner as to endanger project property or Environmental feature	\$75.00
327.2(c)	Operation and/or parking of a vehicle off authorized roadways except at locations and time designated by the District Engineer	\$100.00
327.2(c)	Taking any vehicle through, around, or beyond a restrictive sign, recognizable barricade, fence, or traffic control barrier	\$125.00
327.2(d)	Operating a vehicle in violation of posted regulations	\$50.00
327.2(e)	Operating a vehicle in a careless, negligent, or reckless manner so as to endanger environmental features or project property	\$150.00
327.2(e)	Operating a vehicle in a careless, negligent, or reckless manner so as to endanger any person	\$200.00

327.2(f)	Using a vehicle in a developed area for the purpose other than entering or leaving, except as authorized	\$75.00
327.2(g)	Operating a motorized vehicle without a proper and effective exhaust muffler	\$75.00
327.2(g)	Operating a vehicle with an exhaust muffler cutout open or in any other manner which renders the exhaust muffler ineffective in muffling the sound of engine exhaust	\$100.00
327.2(h)	Operating a vehicle not in accordance with applicable Federal, state, or local laws	\$50.00
327.3(b)	Placing or operating any vessel or any watercraft for fee or profit upon project waters or lands except as authorized by permit, lease, license, or concession agreement	\$100.00
327.3(c)	Operation of a vessel or other watercraft in a prohibited or restricted area	\$150.00
327.3(c)	Operation of a vessel or other watercraft in violation of posted regulations including buoys	\$75.00
327.3(c)	Operation of vessel or other watercraft on project waters without display of an appropriate registration on board	\$50.00
327.3(d)	Operation of a vessel or other watercraft in a careless, negligent or reckless manner so as to endanger any person or property or environmental feature	\$200.00
327.3(e)	Using or allowing the use of a vessel without safety equipment, including personal flotation devices, on board in compliance with boating safety requirements of the U.S. Coast Guard and the boating safety laws of the state in which the vessel is being operated	\$100.00

327.3(f)	Using a vessel or other watercraft while moored in commercial facilities, community or corporate docks, or at any fixed or permanent mooring point for overnight occupancy when such use is not incidental to recreational boating	\$100.00
327.3(f)	Using a vessel or other watercraft as place of habitation or residence	\$200.00
327.3(g)	Using waterskis, parasails, skikites, or similar, devices, in a restricted area	\$100.00
327.3(g)	Using waterskis, parasails, skikites, or similar, devices, in a careless, negligent, or reckless manner so as to endanger any property or person	\$200.00
327.3(h)	Attaching or anchoring a vessel to a lock, dam, buoy, or other structure, except as authorized by the District Commander	\$100.00
327.3(h)	Failure to remove a vessel not actually in use from the project which is not securely moored at mooring facilities approved by the District Engineer	\$75.00
327.3(h)	Placing or floating or stationary mooring facilities on, adjacent to, or interfering with, a buoy, channel marker, or other navigation aid	\$100.00
327.3(i)	Using, at a project, a vessel, which has not been constructed or maintained in compliance with the standards and requirements established by the National Safe Boating Act of 1971 or promulgates pursuant to such act	\$150.00
327.3(j)	Operating a vessel or watercraft without a proper and effective exhaust muffler, as defined by state and local laws, except as authorized by the District Engineer	\$50.00

327.3(j)	Operating a vessel or watercraft with an exhaust muffler cutout open or in any manner which renders the exhaust muffler ineffective	\$75.00
327.3(k)	Operating a vessel not in accordance with applicable Federal, state and local laws	\$50.00
327.4(b)	Operating an aircraft on project lands at locations other than those designated by the District Engineer	\$100.00
327.4(c)	Operating an aircraft while on or above project waters or project lands in a careless, negligent, or reckless manner so as to endanger any person, property or environmental feature	\$250.00
327.4(e)	Air delivery, except in extreme emergency, of any person, material, or equipment by parachute, helicopter, balloon or other means without written permission of the District Commander	\$100.00
327.4(f) (2)	Operation of a seaplane on project waters contrary to the prohibitions or restrictions established by the District Commander	\$150.00
327.4(f) (3)	Operation of a seaplane on project waters in a manner not in accordance with the U.S. Coast Guard Navigation Rules for powerboats or Vessels and/or part 327.3 of this regulation	\$100.00
327.4(f) (4)	Mooring a seaplane in a prohibited area, in an unsafe or insecure manner, or in excess of 24 hours on project waters or lands at a location not permitted by the District Engineer	\$50.00
327.4(f) (4)	Mooring a seaplane in such a manner as to damage the rights of the Government or members of the public	\$100.00

327.4(f)	Failure of the operator to remain	\$50.00
(4)	in the vicinity of a seaplane moored on a project or failure of the operator to be reasonably available to relocate the plane as necessary	
327.4(f)	Commercial operation of a sea-	\$250.00
(5)	plane from project waters with- out written approval of the District Commander	
327.4(f)	Operating a seaplane at a project	\$125.00
(6)	between sunset and sunrise without the approval of the District Commander	
327.5(a)	Swimming, diving, snorkeling, or scuba diving at a launching site, designated mooring point, public dock, or other area designated by the District Commander	\$100.00
327.5(b)	Failure to display an international diver down or inland diving flag during underwater activities	\$75.00
327.5(c)	Diving, jumping or swinging from trees, bridges, or other structures which cross or are adjacent to project waters	\$50.00
327.6	Engaging in picnicking or related Day-use activities in areas where Prohibited by the District Commander	\$50.00
327.7(a)	Camping at a site or area not designated for that purpose by the District Commander	\$100.00
327.7(b)	Camping at one or more campsites for a period longer than 14 days during any 30 consecutive day period without written permission	\$75.00
327.7(c)	Placing camping equipment or other items on a campsite and/or personal appearance at a campsite without daily occupancy for the purpose of reserving the campsite for future occupancy	\$75.00

327.7(d)	Digging or leveling of any ground or the construction of any structure without written permission of the District Commander	\$50.00
327.7(e)	Occupying or placing camping equipment at a campsite which is posted or otherwise marked or indicated as [reserved] without an authorized reservation for that site	\$75.00
327.8(a)	Hunting in areas or during periods where prohibited by the District Commander	\$150.00
327.8(b)	Trapping in areas or during periods where prohibited by the District Commander	\$75.00
327.8(c)	Fishing in a swimming area	\$150.00
327.8(c)	Fishing on a boat ramp or other area designated by the District Commander	\$100.00
327.9(a)	Improper disposal of or failure to remove garbage, trash, rubbish, litter, or any other waste material or liquid, including human and animal wastes, generated on the project	\$150.00
327.9(b)	Bringing any household or commercial garbage, trash, rubbish, debris, dead animals, or litter of any kind for disposal or dumping without having obtained written permission of the District Commander	\$250.00
327.9(c)	Spilling, pumping, or otherwise discharging contaminants, pollutants, or other wastes, including, but not limited to, human or animal waste, petroleum, industrial and commercial products and by-products, on project lands or into project waters	\$200.00
327.9(d)	Failure to keep a campsite, picnic site, or other area being used free of trash and litter during the period of occupancy	\$75.00

327.9(d)	Failure to clean a campsite, picnic site or other use area and remove all personal equipment upon departure	\$75.00
327.9(e)	Discharging or placing sewage, galley waste, garbage, refuse, or other pollutants from any vessels or watercraft into project waters	\$200.00
327.10(a)	Carrying or storing gasoline or any other fuels onto a project in containers not designated for such purposes without written permission of the District Commander	\$150.00
327.10(b)	Failure to confine a fire in a fireplace, grill, or other designated facility	\$75.00
327.10(b)	Leaving a fire unattended or failing to completely extinguish a fire prior to departure	\$100.00
327.10(b)	Burning materials that produce toxic fumes	\$150.00
327.10(c)	Improper disposal of lighted smoking materials, matches, or other burning materials	\$100.00
327.11(a)	Bringing or allowing dogs, cat, or others pets that are not on a leash under 6 feet in length, penned, caged, or otherwise physically restrained, into develop recreation areas	\$75.00
327.11(a)	Allowing an animal or animals to impede or restrict otherwise full and free use of project lands and waters by the public	\$125.00
327.11(a)	Allowing an animal to bark or emit other noise so as to unreasonably disturb other people	\$50.00
327.11(a)	Bringing or allowing an animal or pet, except for properly trained animals assisting the handicapped, into a sanitary facility, playground, swim beach, or other unauthorized area	\$75.00

327.11(b)	Failure to properly remove and dispose of, in sanitary facilities, any waste produced by an animal or pet brought or allowed into designated public use areas	\$50.00
327.11(c)	Bringing or allowing livestock in recreation areas without prior authorization by the District Commander	\$75.00 per head
327.11(d)	Ranging, grazing, watering, or otherwise allowing unauthorized livestock on project lands or waters	\$75.00 per head
327.11(g)	Bringing a wild or exotic pet or animal, or any pet or animal exhibiting vicious or aggressive behavior or otherwise posing a threat to public safety or deemed a public nuisance onto project lands or waters except as authorized by the District Commander	\$150.00
327.12(a)	Entering or using a project or portion thereof in a manner contrary to the schedule of visiting hours, closures, or restrictions	\$100.00
327.12(b)	Creating excessive noise in a public use area between the hours of 10:00 p.m. and 6:00 a.m., or those hours designated by the District Commander, so as to unreasonably disturb other persons	\$75.00
327.12(c)	Engaging in any act or manner of conduct which interferes with, impedes, or disrupts the use of the project	\$100.00
327.12(c)	Engaging in any act or manner of conduct which impairs the safety of another person	\$250.00
327.12(d)	Operating or using any audio or other noise producing device, including vehicles and vessels, in such a manner as to unreasonably annoy or endanger persons at any time or exceed state or local laws governing noise levels from	\$75.00

motorized equipment

327.12(e)	Possessing or consuming alcoholic beverages in areas designated and posted with such restrictions by the District Commander	\$75.00
327.12(f)	Smoking in a visitor center, enclosed park building or other area on a project on violation of posted restrictions	\$50.00
327.13(a)	Possessing a loaded firearm, ammunition, loaded projectile firing devices, bows and arrows, crossbows except as authorized	\$100.00
327.13(b)	Possessing or using explosives or explosive devices, including fireworks or other pyrotechnics without written permission from the District Commander	\$50.00
327.14(a)	Destruction, injury, defacement, removal, or any alteration of public property developed or natural, except as authorized by written permission of the District Commander	\$250.00
327.14(b)	Cutting or the gathering of trees or parts of trees and/or the removal of wood from project lands without written permission	\$150.00
327.14(c)	Gathering dead wood on the ground in violation of posted restrictions	\$50.00
327.14(d)	Using a metal detector in areas where such use is prohibited by the District Commander	\$50.00
327.15(a)	Abandoning, storing, or leaving unattended personal property on project lands or waters	\$50.00
327.15(b)	Placing personal property on Federal lands or waters adjacent to a private residence and/or developments of any private nature for over 24 hours without permission	\$75.00
327.16	Failure to deposit an article found on project lands	\$50.00

327.17(a)	Non-commercial advertising without written permission of the District Commander	\$150.00
327.17(a)	Commercial advertising without written permission of the District Commander	\$200.00
327.18(a)	Engagement in or solicitation of business without the expressed written permission of the District Commander	\$150.00
327.18(b)	Noncompliance with any terms, clauses or conditions of any lease, license or other agreement issued by the District Commander	\$125.00
327.19(a)	Noncompliance with the fee requirements or other terms or conditions of any permit issued under the provision of this part 327	\$100.00
327.19(e)	Noncompliance with a Shoreline Use Permit issued under the authority of Part 327.30 of this regulation	\$75.00
327.20	Construction, placement, or permitting the existence of any structure of any kind, including roads, trails, signs, buoys, docks, non-portable hunting stands or blinds, or landscape features, under, upon, in or over project lands or waters without a permit, lease, license or other written authorization issued by the District Commander	\$250.00
327.20	Violation of the terms of a permit, lease, license, or other written agreement via the design, construction, placement, existence, or use of any structure	\$150.00
327.21(a)	Holding a special event without prior written permission from the District Commander	\$250.00

327.21(b)	Charging a fee to the public by a sponsor of a special event when said fee has not been approved in writing by the District Commander and the fee schedule has not been properly posted to notify the public	\$150.00
327.21(b)	Failure of the sponsor to comply with the terms and conditions of the permit, permission or the regulations in this part 327	\$200.00
327.22(a)	Unauthorized occupation of any lands, buildings, vessels, or other facilities as a full or part-time residence within the boundaries of a project	\$250.00
327.22(b)	Unauthorized use of project lands and/or waters for agricultural purposes	\$150.00
327.23(c)	Failure to pay the authorized and posted camping fee (fine not to exceed \$100.00)	\$50.00 Plus amt. of unpaid fee
327.23(c)	Failure to pay authorized and posted Day Use fee (fine not to exceed \$100.00)	\$25.00
327.23(c)	Failure to properly display the applicable receipt, permit, or pass (fine not to exceed \$100.00)	\$25.00
327.23(d)	Fraudulent use of a Golden Age or Golden Access Passport	\$250.00
327.24(a)	Attempting to kill, kill, or forcibly assaulting, resisting, opposing, intimidating, impeding, or interfering with any civilian official or employee of the U.S. Army Corps of Engineers engaged in, or on account of, the performance or his or her official duties (Section 111 and 1114 of Title 14 USC)	Mandatory Appearance
327.24(b)	Failure to comply with a lawful order issued by a Federal employee acting pursuant to	\$150.00

these regulations

327.24(b) Failure to provide a correct
name, address, or other
identification upon request of
a Federal employee authorized
to issue citations in the
performance of his or her official
duties

\$200.00

**WILDLIFE/PROPERTY FORFEITURE ORDER
EASTERN DISTRICT OF ARKANSAS**

Unless otherwise specifically ordered by a United States Court, any fish, wildlife, plants, or property which has been seized under the authority of the Migratory Bird Treaty Act, 16 U.S.C. §§ 703-712; the National Wildlife Refuge Systems Administrative Act, 16 U.S.C. §§ 668dd-668ee; the Recreation Act, 16 U.S.C. §§ 460k-460k-4, the Eagle Protection Act, 16 U.S.C. §§ 668-668e; the Endangered Species Act, 16 U.S.C. §§ 1531-1543; the Migratory Waterfowl Hunting Stamp Act, 16 U.S.C. §§ 718-718i; the Airborne Hunting Act, 16 U.S.C. §§ 742j-1; the Marine Mammal Protection Act, 16 U.S.C. §§ 1361-1407; the Tariff Classification Act, 19 U.S.C. § 1202; the Lacey Act, 18 U.S.C. § 42; the Lacey Act Amendments, 16 U.S.C. §§ 3371-3378; the American Antiquities Act, 16 U.S.C. §§ 431-433; the Assimilative Crime Act, 18 U.S.C. § 13, the African Elephant Conservation Act, 16 U.S.C. §§ 4201-4245; the Archeological Resources Protection Act, 16 U.S.C. § 470aa et seq.; Wild Bird Conservation Act, 16 U.S.C. §§ 4901-4916; and Rhinoceros and Tiger Conservation Act of 1998, 16 U.S.C. § 5301 et seq.; where final disposition of the case has been made by either payment of a Forfeiture of Collateral or a judgment by the court on behalf of the Government and where so authorized by statute, such wildlife or property shall be forfeited to the U.S. Government and disposed of by the U.S. Fish & Wildlife Service in the manner prescribed by Title 50, Code of Federal Regulations, Part 12.

Appendix A
Wildlife & Plant Value Table

Category	Species	Comments	Value
Migratory game birds			
	Ducks	Whole/mount	\$ 50.00
	Geese	Whole/mount	75.00
	Doves	Whole/mount	25.00
	All other	Whole/mount	50.00
	All parts/products	Per item	25.00
Migratory non-game birds			
	Bald/golden eagle	Whole/mount	\$1000.00
	Hawks/owls	Whole/mount	500.00
	Song birds	Whole/mount	100.00
	All other	Whole/mount	100.00
	All parts/products	Whole/mount	25.00
Other game birds			
	Wild turkey	Whole/mount	300.00
	All other	Whole/mount	100.00
	All parts/products	Per item	25.00
Big game animals			
	Elk	Whole	\$1000.00
	Deer	Whole	500.00
	Black bear	Whole	1000.00
	All other	Whole/mounted	1000.00
	All parts/products	Per item	100.00
Small game animals			
	Squirrel	Whole	10.00
	Rabbit	Whole	10.00
	Quail	Whole	10.00
	All other	Whole	10.00
Other animals			
	Bobcat	Whole	250.00
	Fox	Whole	250.00
	Mink	Whole	100.00
	Otter	Whole	250.00
	Raccoon	Whole	50.00
Sport fish			
	Bass, crappie, bream, catfish		25.00

Other fish			
	Paddlefish, sturgeon, bowfin	Whole	250.00
	Eggs/roe	Per lb.	100.00
Non-sport fish			
	Carp, sucker, gar	Whole	20.00
Amphibians			
	All whole/products	Per item	50.00
Reptiles			
	All whole/products	Per item	50.00
Deciduous trees			
	All	>16" DBH	50.00
	All	<16" DBH	10.00
Coniferous trees			
	All	>16" DBH	50.00
	All	<16" DBH	10.00
Other plants			
	All		10.00
Archeological resources			
	Human remains		500.00/item
	All other		100.00/item

8/04

**FORFEITURE OF COLLATERAL SCHEDULE
UNITED STATES FISH AND WILDLIFE SERVICE
EASTERN DISTRICT OF ARKANSAS**

NOTE: Due to increased liability and potential severity for environmental degradation posed by commercial and organized activities, collateral amounts for violations listed herein shall be doubled for corporations, businesses, partnerships, hunt clubs, and other organizations committing such violations (18 U.S.C. § 3571 (c) - Fines For Organizations).

Value = the current established replacement value of animals or plants listed in Appendix A

Item = per specimen

U.S. Fish & Wildlife Service Regulations

50 CFR PART 13: General Permit Procedures

<u>Offense</u>	<u>Collateral</u>
13.1 Permit requirement	200.00
13.25 Unauthorized transfer of Fish & Wildlife Service permit	200.00
13.26 Failure to return permit	100.00
13.41 Failure to maintain wildlife under humane and healthful conditions	500.00
13.42 Violation of terms/conditions set forth in permit	250.00
13.43 Alteration of permit	250.00
13.44 Failure to display permit upon request	100.00
13.45 Failure to file reports as required	150.00
13.46 Failure to maintain records as required	250.00
13.47 Failure to permit premise inspection	500.00
13.48 Failure to comply with conditions of permit	250.00
13.49 Failure to surrender permit upon suspension or revocation	250.00
13.50 Failure to assume liability and responsibility for the conduct of any activity conducted under the authority of permit	250.00

OffenseCollateralGeneral Regulations for Importation, Exportation & Transportation of Wildlife
(16 U.S.C. § 3371, 16 U.S.C. § 1538)

Because the Lacey Act and the Endangered Species Act are Class A misdemeanors, any criminal charges must be filed by Information or Indictment. See 50 CFR, Part 14.

16 U.S.C. §§ 4901- 4916
Wild Bird Conservation Act of 199216 USC § 4901 et seq.
(50 CFR PART 15)

Violate any regulations, prohibitions, or regulations of Act relating to the import of any exotic bird...

Non-commercial	500.00 + value
Commercial	1,000.00 + value

19 U.S.C. 1202
Tariff Classification Act50 CFR 15

15.12	Import in excess of quota feathers belonging to Species listed in 50 CFR 15.11	100.00
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18 U.S.C. § 42
Lacey Act

18 U.S.C. § 42(c)	Importation of wildlife under inhumane or unhealthful Conditions	750.00 + value
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50 CFR PART 16: Regulations for the Importation or Shipment of Injurious Species

16.3 thru 16.13(b)(1)	Unauthorized import, transport, acquire or release of prohibited species or their progeny	750.00 + 25.00/item
16.14 & 16.15	Release of imported live wild amphibians, reptiles or progeny or eggs thereof to the wild without authorization	500.00 + 25.00/item
16.22(b)(1)	Failure to properly confine injurious species	500.00 + 25.00/item
16.22(b)(2)	Transfer of injurious species to unauthorized person	500.00 + 25.00/item

16 U.S.C. §§ 3371- 3778
Lacey Act Amendments of 1981

Because the Lacey Act Amendment of 1981 is a Class A misdemeanor, any criminal charges must be filed by Information or Indictment.

Offense

Collateral

16 U.S.C. § 1538
Endangered Species Act

Because the Endangered Species Act is a Class A misdemeanor, any criminal charges must be filed by Information or Indictment. However, regulations pertaining to threatened species are Class B misdemeanors and may be charged by Violation Notice.

50 CFR PART 17: Regulations pertaining to Threatened Wildlife

17.31	Violate threatened wildlife prohibitions	500.00 + value
17.40 thru 17.47	Violate special regulations pertaining to threatened wildlife	500.00 + value

50 CFR PART 17: Regulations pertaining to Endangered Plants

17.61	Violation of Endangered Plant regulations	500.00 + value
17.62 & 17.63	Fail to comply with Permit Conditions	250.00

50 CFR PART 17: Regulations Pertaining to Threatened Plants

17.71	Violation of Threatened Plant regulations	500.00 + value
17.72	Fail to comply with permit conditions	250.00

50 CFR PART 17: Other Endangered & Threatened Plant Regulations

17.82	Violation of general Experimental regulations	250.00 + value
17.84 to end	Violation of special regulations	250.00 + value

16 U.S.C. §§ 1361-1407
Marine Mammal Protection Act

Because the Marine Mammal Protection Act is a Class A misdemeanor, any criminal charges must be filed by Information or Indictment. See 50 CFR, Part 18.

16 U.S.C. § 742j
Airborne Hunting Act

Because the Airborne Hunting Act is a Class A misdemeanor, any criminal charges must be filed by Information or Indictment. See 50 CFR, Part 19.

OffenseCollateral

16 U.S.C. §§ 703-712
Migratory Bird Treaty Act

16 U.S.C. § 703

Taking, pursuing, hunting, capturing, killing, or the attempt thereof; possess, sell, barter, purchase, ship, export, import, carry, transport, offer, or cause thereof; migratory birds, their parts, nests, or eggs, without authorization
**per part, nest, egg, item
per each bird**

**500.00 +
50.00 /
value**

16 U.S.C. § 705

Ship, transport, carry in interstate or foreign commerce, any bird, part, nest, or egg, thereof, carried contrary to the law of the place where captured, killed, taken, shipped, transported, or carried

**per part, nest, egg, item
per each bird**

**500.00 +
50.00 /
value**

50 CFR PART 20: Migratory Game Bird Hunting Regulations**20.20(b)**

Failure to register with Migratory Bird Harvest Information Program (HIP)

100.00

20.21(a)

Take with illegal device or substance

400.00 + value

20.21(b)

Take with shotgun capable of holding more than three (3) shells

250.00 + value

20.21(c)

Take by means, aid or use of sink box

250.00 + value

20.21(d)

Take from or by means, aid, or use of a motor driven conveyance, motor vehicle or aircraft

400.00 + value

20.21(e)

Take by means of motorboat or other craft having motor attached and under power

400.00 + value

20.21(f)

Take by use or aid of live decoys

500.00 + value

20.21(g)

Take by use or aid of electronic/recorded calls

500.00 + value

20.21(h)

Take by means or aid of motor driven conveyance for concentrating, driving, or rallying, or stirring up waterfowl

300.00 + value

20.21(i)

Take by aid of bait or on or over baited area (where the defendant knew, or reasonably should have known, that the area was a baited area)

500.00 + value

**16 U.S.C. § 704
(b)(2) and
16 U.S.C.
707(c)**

Place or direct placement of bait on or adjacent to an area for the purpose of causing, inducing or allowing any person to take migratory game birds by the aid of baiting or on or over a baited area.

**Class A misdemeanor
Information/Indictment**

<u>Offense</u>	<u>Collateral</u>
20.21(j) Take while possessing toxic shot shells or shot	300.00 + forfeit toxic shells
20.22 Take during closed season	500.00 + value
20.23 Take before/after legal shooting hours	1-15 min. 200.00 + value 16-30 min. 300.00 + value 31-45 min. 400.00 + value 45+ min. 500.00 + value
20.24 Take in excess of daily bag limit	500.00 + value
20.25 Wanton waste of migratory birds	250.00 + value
20.26(c) Failure to comply with temporary closure regulations	250.00 + value
20.31 Possession of birds taken in violation of 20.21 thru 20.23	150.00 + value
20.32 Possess freshly killed migratory birds during closed season	300.00 + value
20.33 Exceed possession limit of migratory birds taken in the U.S.	250.00 + value
20.34 Possess in excess of daily bag limit opening day	300.00 + value
20.35 Possess or transport in excess of daily field limit	250.00 + value
20.36 Violation of tagging regulations	250.00 + value
20.37 Custody of untagged birds of another	250.00 + value
20.38 Live wounded birds in possession	100.00 + value
20.40 Receive, possess, give to another untagged birds	100.00 + value
20.41 Transport birds taken in violation of 20.21 thru 20.24	150.00 + value
20.42 Transportation of untagged birds of another	200.00 + value
20.43 Transport migratory game birds with species ID removed	250.00 + value
20.44 Transport unmarked or improperly marked package containing migratory game birds via postal service or common carrier	100.00 per package
20.51 Export birds taken in violation of 20.12 through 20.24	200.00 + value
20.52 Export birds with species ID removed	150.00 + value

<u>Offense</u>	<u>Collateral</u>
20.53 Export unmarked or improperly marked packages containing mig. birds as required	150.00 per package
20.61 Import mig. game birds in excess of legal limit	200.00 + value
20.62 Import mig. game birds belonging to another	150.00 + value
20.63 Import mig. game birds with species ID removed	150.00 + value
20.64 Import, possess, transport birds killed in foreign country without required export permits	150.00 + value
20.65 Import birds not drawn or dressed as required	150.00 + value
20.66 Import unmarked or improperly marked packages containing mig. birds as required	150.00 per package
20.71 Take, possess, transport, or export migratory birds, their parts, nests, or eggs in violation of any other Federal law or regulation	250.00 + value
20.72 Take, possess, transport, or export migratory birds, their parts, nests, or eggs in violation of any other State law or regulation	250.00 + value
20.73 Import, possess, or transport, migratory birds, their parts, nests, or eggs if taken, bought, sold, transported, possessed, or exported contrary to any law or regulation of any foreign country, State, or province thereof	250.00 + value
20.81 Commercial facility with untagged migratory birds of another as required under 20.36	200.00 + value
20.82 Violation of record keeping requirement	200.00
20.83 Failure to permit premise inspection	500.00
20.91(a) Purchase, sell, barter, or offer thereof for millinery or ornamental use, the feathers of migratory game birds	500.00
20.91(b) Purchase, sell, barter, or the offer thereof, mounted specimens taken by hunting	250.00 + value
20.100 Take migratory game birds for which no season has been established	350.00 + value
20.133 Violation of crow hunting regulations	250.00 + 50.00/bird

Offense**Collateral****50 CFR PART 21: Migratory Bird Permit Violations**

21.2 thru 21.27	Migratory Bird Permit Violations	250.00 + value
21.28	Violation of Falconry Permit requirements	300.00 + value
21.28(d)(1)	Take, possess, transport, golden eagle for falconry without a permit	500.00 + value
21.28(d)(3)	Unauthorized take, purchase, sell, possess or barter of raptor	500.00 + value
21.29	Violation of Falconry Standards	250.00
21.29(e)(3)	Take, possess, transport raptor in violation of 50 C.F.R. PART 21.29	250.00 + value
21.29(e)(3)(v)	Unauthorized take of a threatened species	500.00 + value
21.29(g)	Failure to comply with facility/equip. standards	200.00 + value
21.29(i)	Unauthorized take of raptor	350.00 + value
21.29(j)	General violations of Misc. Falconry Regulations	150.00 + value
21.29(j)(5)	Retain or exchange molted feathers for other than imping purposes	150.00 + 50.00/feather
21.30	General violation of Raptor propagation permit	250.00 + \$100/bird
21.30(a)	Take, possess, transport, sell, purchase, barter or transfer any raptor, raptor egg, or raptor semen, for propagation without authorization	350.00 + \$100/bird
21.30(d)(7)	Unauthorized hybridization of raptors	500.00
21.41 thru 21.43	Violation of depredating migratory bird regulations	250.00 + value
21.41(c)(1)	Unauthorized killing of depredating migratory birds	500.00 + value
21.42(c)(2)	Take of depredating birds by unauthorized method	250.00 + value

16 U.S.C. § 718**Migratory Waterfowl Hunting and Conservation Stamp Act**

16 U.S.C. § 718a	Hunt migratory waterfowl without a Federal waterfowl hunting stamp	200.00+ value
16 U.S.C. § 718b	Hunting migratory waterfowl with an invalid (unsigned) Federal waterfowl stamp	100.00+ value

<u>Offense</u>	<u>Collateral</u>
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16 U.S.C. § 718e(a) Loan or transfer valid migratory stamp to another person, or use stamp validated by another	300.00
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16 U.S.C. § 718e(b) Alter, mutilate, imitate, or counterfeit any stamp authorized by this Act	500.00
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16 U.S.C. § 668d
Bald and Golden Eagle Protection Act

Because the Bald and Golden Eagle Protection Act is a Class A misdemeanor, any criminal charges must be filed by Information or Indictment. See 50 CFR, Part 22.

16 U.S.C. §§ 1531-1543
Endangered Species Act - Convention on International Trade (CITES)

50 CFR PART 23: Regulations pertaining to import/export of protected wildlife & plants

Because 50 CFR, Part 23 and Part 24 are Class A Misdemeanors, any criminal charges must be charged by Information or Indictment.

16 U.S.C. §§ 4201- 4245
African Elephant Conservation Act

Because the African Elephant Conservation Act is a Class A misdemeanor, any criminal charges must be filed by Information or Indictment.

16 U.S.C. §§ 5301- 5306
Rhinoceros and Tiger Conservation Act of 1998

16 U.S.C. § 5305(a) Sale, import, export of any product, item or substance intended for human consumption or application containing or labeled or advertised as containing any substance derived from any species of rhinoceros or tiger.	500.00 + value
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16 U.S.C. §§ 431- 433
American Antiquities Act of 1979

16 U.S.C. § 433 Appropriate, excavate, injure, or destroy any historic or prehistoric ruin or monument, or any object of antiquity, situated on lands owned or controlled by the United States Government	500.00 + value
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Offense**Collateral**

16 USC § 668dd and 16 U.S.C. §§ 721-731
National Wildlife Refuge Administrative Act
&
16 USC §§ 460k-460k-4
Recreation Act

16 USC 668dd(f) – Penalties

Because Section 668dd(f)(1) is a Class A misdemeanor, any criminal charges must be filed by Information or Indictment. Section 668dd(f)(2) is a Class B misdemeanor and may be charged by Violation Notice.

50 CFR PART 25: Administrative Provisions

25.21	Enter a closed portion of National Wildlife Refuge	200.00
25.31	Failure to comply with special regulations	100.00
25.42	Failure to display permit when requested	100.00
25.72	Failure to report accidents	100.00

50 CFR PART 26: Regulations Pertaining to Public Entry & Use

26.21(a)	Trespass on National Wildlife Refuge (NWR)	250.00
26.21(b)	Permit unconfined domestic animal to enter a NWR	100.00 + 50.00/animal
26.36	Conduct public assembly/demonstration without a permit	150.00

50 CFR PART 27: Prohibited Acts

27.21	Take any animal or plant without authorization	500.00 + value
27.31	Travel on other than a designated route of travel	150.00
27.31(a)	Operate a vehicle in violation of State law	100.00
27.31(b)	Operate a vehicle under the influence of drugs or intoxicating beverage	500.00
27.31(c)	Operate a vehicle carelessly or heedlessly	250.00
27.31(d)	Exceed 25 mph or posted speed limit	100.00 + 3.00/mph over speed limit (21 mph or more over speed limit: 200.00)
27.31(e)	Operate vehicle without a muffler/spark arrester	100.00
27.31(f)	Operate vehicle without license plate/registration	100.00
27.31(g)	Operate vehicle without a drivers license	250.00

<u>Offense</u>	<u>Collateral</u>
27.31(h) Block road access for other vehicles	100.00
27.31(i) Failure to obey orders of traffic control officer	350.00
27.31(j) Operate over-sized/over-weight vehicle	250.00
27.31(k) Moving of vehicle involved in accident	150.00
27.31(l) Operate a vehicle without proper headlights, tail-lights, or brake lights	100.00
27.31(m) Violation of other established special vehicle requirements	100.00
27.32(a) Unauthorized use of a boat	250.00
27.32(b) Operate boat in violation of either Coast Guard or State laws	100.00
27.32(b)(2) Operate boat in reckless/negligent manner	250.00
27.32(b)(3) Operate boat under influence of an intoxicant	500.00
27.32(b)(4) Interfere with operation of other boats	250.00
27.32(b)(5) Operate boat without proper marine head	250.00
27.32(b)(6) Operate a sailboat without required lights	200.00
27.32(b)(7) Leave boat unattended for 72 hrs	100.00
27.32(b)(8) Unauthorized use of Government boat dock	100.00
27.33 Unauthorized waterskiing on NWR	100.00
27.34 Unauthorized operation of aircraft on/over NWR	500.00
27.41 Carry, or possess a firearm	200.00
Discharge a firearm	300.00
Carry or possess fireworks/explosive	100.00
Discharge fireworks/explosive	200.00
27.42 Firearms; other violations	200.00
27.43 Use of weapons other than firearms	200.00
27.51 Disturb, injure, damage animals on NWR	250.00 + value
Disturb, injure, damage plants on NWR	250.00 + value
27.52 Introduction of plants/animals on NWR	200.00 + 50.00/item

<u>Offense</u>	<u>Collateral</u>
27.61 Destruction or removal of property from NWR	500.00 + repair costs
27.62 Search for or remove objects of antiquity	500.00 + repair costs
27.63 Unauthorized search for valued objects; no permit	250.00 + repair costs
27.64 Unauthorized prospecting/mining on a NWR	500.00 + repair costs
27.65 Tamper with vehicles or equipment	250.00
27.71 Take or film motion pictures for commercial use	250.00
27.72 Cause unreasonable disturbances w/ audio equip	200.00
27.73 Use of artificial light to locate wildlife	250.00 + value
27.81 Enter NWR under the influence of alcohol	300.00
27.82(b)(1) Deliver controlled substance	1,000.00
27.82(b)(2) Possess controlled substance on a NWR	500.00
27.82(b)(3) Under influence of a controlled substance	500.00
27.83 Indecency or disorderly conduct	250.00
27.84 Interference with persons engaging in authorized activity	500.00
27.85 Gambling on NWR	200.00
27.86 Begging or soliciting	100.00
27.91 Conducting field trials	200.00
27.92 Construct, install, occupy private structure	500.00 + removal
27.93 Abandon private property	300.00 + removal
27.94 Litter on a NWR	200.00
Dumping refuse or waste	500.00
Depositing environmental contaminants	1,000.00
27.95(a) Setting unauthorized fire	500.00
Setting unauthorized campfire	100.00
27.95(b) Leaving fire unattended	150.00
27.95(c) Throw burning cigarette, match, etc. where it may start a fire	150.00
27.95(d) Smoking violation	100.00

<u>Offense</u>	<u>Collateral</u>
27.96 Unauthorized advertising	100.00
27.97 Conduct private commercial operation	500.00
<u>50 CFR PART 28: Regulations pertaining to Refuge Special Regulations-General</u>	
28.31 Violate any provision, rule, regulation, sign, or special regulation	200.00
<u>50 CFR PART 31: Regulations pertaining to Commercial Fishing & Trapping</u>	
31.13 No refuge commercial fishing permit	250.00 + value
31.16 Violation of Federal trapping permit regulations, State trapping laws, or other special trapping laws, or special trapping regulations	
Violate State law	200.00 + value
Violate permit conditions, etc	200.00 + value
Failure to inspect traps	200.00 + value
Unlawful sets; unlawful equipment	250.00 + value
Animal unlawfully trapped	250.00 + value
<u>50 CFR PART 32: Regulations pertaining to Hunting</u>	
32.2(a) Hunt without a State license	200.00 + value
32.2(b) Hunt without a migratory waterfowl stamp	200.00 + value
32.2(c) Hunt in violation of Federal law	250.00 + value
32.2(d) Hunt in violation of State law	250.00 + value
32.2(e) Hunt in violation of special access requirements, including the terms and conditions of hunting permits.	100.00 + value
32.2(f) Failure to comply with refuge-specific regulations regarding hunting	150.00
32.2(g) Bow hunt with any drug on a arrow	500.00 + value
32.2(h) Distribution of bait and hunting over bait on NWR	500.00 + value
32.2(i) Use of nails, wire, screws or bolts to attach a tree stand to a tree, or hunt from tree into which a metal object has been driven	100.00
32.2(j) Use or possession of alcohol while hunting	200.00
32.2(k) Use or possession of toxic shot while hunting with shotgun or muzzle-loader	250.00 + forfeit toxic shells

Offense**Collateral****50 CFR PART 32.5: Regulations pertaining to Fishing**

32.5(a)	Fish without a State license	200.00 + value
32.5(b)	Noncompliance with applicable Federal law	100.00 + value
32.5(c) thru 32.5(e)	Violations of State and applicable special regulations on fishing	100.00 + value

50 CFR PART 70: Regulations pertaining to National Fish Hatcheries

70.4(b)	Unauthorized taking, or attempt to take fish, amphibians, or other aquatic animals	200.00 + value
70.4(c)	Unauthorized take of any animal	200.00 + value
70.4(d)	Disturbing spawning fish	100.00

50 CFR PART 71: Regulations pertaining to Hunting & Fishing on National Fish Hatcheries

71.2(a)	Hunt without a State license	200.00 + value
71.2(b) thru 71.2(f)	Noncompliance with other laws or regulations	100.00 + value
71.12(a)	Fish without a State license	100.00 + value
71.12(b) thru 71.12(e)	Noncompliance with other laws or regulations	100.00 + value

The provisions and regulations set forth in 50 CFR, Parts 25 – 31 are equally applicable to national fish hatchery areas.

18 USC § 13
Assimilative Crime Act

Violation of state statutes on federal land including Arkansas Game & Fish Commission Codes.

**Same as Arkansas
penalty assessment**

SCHEDULE 6

HOT SPRINGS NATIONAL PARK Collateral Forfeiture Schedule

***In any exceptional or aggravated offense, the officer at his discretion may make any offense a "Mandatory Appearance."

General Provisions 36 CFR Part 1

Section	Offense	Amount
1.5	Closures and public use limits	100
1.6	Permits	100

Resource Protection, Public Use/Recreation 36 CFR Part 2

Section	Offense	Amount
2.1	Preservation of resources	100
2.2	Wildlife Protection	
	(a) (1), (a) (3) taking/possessing	M
	(a) (2) feeding, touching, disturbing	75
2.3	Fishing	50
2.4	Weapons, traps and nets	
	(a) (1) possession/carrying	50
	(a) (1) use/firing	250
	(f) violating state law	50
2.5	Research Specimens (w/o permit)	100
2.10	Camping and Food Storage	
	(b) (4) noise (quiet hours)	50
	(b) (7) connecting to utilities	100
	(b) (10) camp in undesignated area	100
2.11	Picnicking	25
2.12	Audio Disturbance	50
2.13	Fires	
	(a) (4) unattended campfire	100
	(a) (5) discarding lighted material	M
2.14	Sanitation and Refuse	
	(a) (1) minor littering	75
	(a) (1) dumping of garbage	250
2.15	Pets	25
2.16	Horses and pack animals	25
2.17	Aircraft and air delivery	100
2.20	Skating, Skateboards and etc	25
2.21	Smoking	25
2.22	Property (abandoning)	100
2.23	Recreation fees (camping fee)	50
2.30	Misappropriation of property/serve	250
2.31	Trespass, tampering, or vandalism	100

2.32	Interfering with agency function	150
2.33	Report of injury or damage	100
2.34	Disorderly Conduct	
	(a) (1), (a) (2) violent/hazardous	250
	(a) (3), (a) (4) unreasonable noise/offensive	100
2.35	Alcohol/Controlled Substances	
	(a) (2) Alcohol	100
	(b) (1), (b) (2) Substance (marijuana)	200
	(b) (1), (b) (2) Other than marijuana	M
	(c) Public Intoxication	100
2.36	Gambling	100
2.37	Noncommercial soliciting	50
2.38	Explosives	
	(a) other than common fireworks	M
	(b) fireworks	50
2.52	Sale/Distribution of printed matter	50
2.60	Livestock/agriculture	100
2.62	Memorialization	50

Traffic Offenses		36 CFR part 4
Section	Offense	Amount
4.2	Assimilate State Traffic Code	
	27-14-304 No/expired tags/registration	50
	27-14-306 Improper tags/registration	50
	27-14-307 False/Stolen tags/registration	M
	27-16-901 Expired Driver's License	50
	27-16-303 Revoked/Suspended Driver's License	M
	27-20-104 Motorcycle helmet, equipment	50
	27-20-106 No motorcycle license endorsement	50
	27-22-104 No proof of insurance	50
	27-32-109 No/expired Inspection Sticker	50
	27-34-104 Child Seat	50
	27-36-101 Unsafe vehicle mechanical condition	50
	27-37-601 Improper Exhaust (noise/smoke)	50
	27-50-308 Reckless Operation	250
4.4	Report of Motor Vehicle Accident	100
4.10	Travel on Park Roads	
	(a) Off-road vehicle use	50
	(c) Causing road damage	M
4.11	Load, weight and size limits	50
4.11	Traffic Control Devices - Disobey	
	No parking zone	25
	Designated handicap parking	50
	"Stop" sign	50
	Roadway lane markings	50
	"Yield" sign	50

	"Wrong Way," "One Way" sign	50
4.13	Obstruction Traffic	50
4.14	Open Container of alcohol	50
4.15	Safety Belts, failure to use	25
4.20	Right of Way (yield to pedestrians)	50
4.21	Posted Speed Limits	5/mile
4.22	Unsafe operation (Careless)	100
4.23	Operating Under the Influence	
	(a), (b) Drugs and/or Alcohol	M
	(c) Refusal to submit to Test	M
4.30	Bicycles	50
4.31	Hitchhiking	50

Commercial and Private Operations 36 CFR part 5

Section	Offense	Amount
5.1	Advertisements (display, post)	100
5.3	Business Operations	100
5.5	Commercial Photography	50
5.6	Commercial Vehicles	50

Special Park Regulations for HOSP 36 CFR part 7

Section	Offense	Amount
7.18	Passenger-carrying vehicles (taxi, etc.)	50
7.18	Use of Water (thermal and cold springs)	100

Commonly Assimilated State Statutes (under 18 USC 13):

(By Rules of Procedure, only a petty offense may proceed on a citation or violation notice.)

Section	Offense	Amount
5-14-122	Sodomy (Class A misdemeanor)	
5-03-301	Solicitation (lesser penalty than the offense)	
5-13-201	Battery 1 st degree (Class B felony)	
5-13-202	Battery 3 rd degree (Class A misdemeanor)	
5-13-205	Assault 1 st degree (Class A misdemeanor)	
5-13-206	Assault 2 nd degree (Class B misdemeanor)	
5-13-207	Assault 3 rd degree (Class C misdemeanor)	
5-13-301	Terroristic Threatening 1 st degree (Class D felony)	
5-13-301	Terroristic Threatening 2 nd degree (Class B misdemeanor)	
5-14-103	Rape (Class Y felony)	
5-14-111	Public Sexual Indecency (Class A misdemeanor)	
5-14-112	Indecent Exposure (Class A misdemeanor)	
5- 4-401	"For a Class A misdemeanor, the sentence shall not exceed one year."	
	"For a class B misdemeanor, the sentence shall not exceed ninety days."	
	"For a Class C misdemeanor, the sentence shall not exceed thirty days."	
	For an unclassified misdemeanor, the sentence shall be in accordance with the limitation of the statute defining the misdemeanor."	

SCHEDULE H

TITLE 18 U.S.C. OFFENSES

PINE BLUFF ARSENAL

SPECIAL
ASSESSMENT

<u>OFFENSE</u>	<u>COLLATERAL</u>	<u>CLASSIFICATION</u>	<u>IND.</u>	<u>NON- IND.</u>
Simple Assault 18 U.S.C. 113(5)	\$50	Misd. (B)	\$10	\$50
Theft of Public Property, Money, or Records not Exceeding \$100 18 U.S.C. 641	\$100	Misd. (A)	\$25	\$125
Unauthorized Sale or Possession of Identification Cards or Badges 18 U.S.C. 701	\$100	Misd. (B)	\$10	\$50
Unauthorized Photography of Identification Cards or Badges 18 U.S.C. 701	\$50	Misd. (B)	\$10	\$50
Willful Injury to Government Property or contracts Where Property Damage Does not Exceed \$100 18 U.S.C. 1361	MA	Misd. (A)	\$25	\$125
Entering Military Reservation for Purposes Prohibited by Law 18 U.S.C. 1382	\$100	Misd. (B)	\$10	\$50
Re-entering Military Reservation After Having Been Removed and Ordered Not to Re-enter by Commander 18 U.S.C. 1382	MA	Misd. (B)	\$10	\$50
Misuse of Franking Privilege 18 U.S.C. 1719	\$100			
Leaving Fires Unattended and Unextinguished on Public Lands 18 U.S.C. 1856	\$200	Misd. (B)	\$10	\$50
Unlawfully Breaking, Opening or Destroying Gates, Fences, Hedges or Walls Enclosing Public Lands 18 U.S.C. 1857	\$50	Misd. (A)	\$25	\$125

GENERAL STATE OFFENSES

<u>OFFENSE</u>	<u>COLLATERAL</u>	<u>CLASSIFICATION</u>	<u>IND.</u>	<u>NON- IND.</u>
Applicable ARK. STAT.				
Third Degree Battery 41-1603 A.C.A 5-13-203	\$75	Misd. (A)	\$25	\$125
Terroristic Threatening (2nd Degree) 41-1608	MA	2nd degree Misd. (B) 1st degree is a felony	\$10	\$50
Coercion 41-16-9 A.C.A 5-13-208	MA	Misd. (A)	\$25	\$125
Second-degree False Imprisonment 41-1704 A.C.A 5-11 104	MA	Misd. (A)	\$25	\$125
Public Sexual Indecency 41-1811 A.C.A 5-14-111	MA	Misd. (A)	\$25	\$125
Indecent Exposure 41-1812 A.C.A 5-14-112	\$50	Misd. (A)	\$25	\$125
Failure to Control or Report a Dangerous Fire 41-1904 A.C.A 5-38-303	\$100	Misd. (B)	\$10	\$50
Second-degree Criminal Mischief Where Property Damage is Less Than \$1,000.00 41-1907 A.C.A 5-38-204	MA (If damage is greater than \$1,000) (If damage is less than \$1,000)	Misd. (A) Misd. (B)	\$25 \$10	\$125 \$50
Setting on Fires any Forest, Brush or Other Inflammable Vegetation 41-1951.1 A.C.A 5-38-310	MA	Misd. (A)	\$25	\$125
Dumping Trash, Garbage or Other Offensive Matter on Public Property 41-1981	\$100			
Unlawfully Entering In or Remaining Upon the Occupied Premises of Another 41-2004 A.C.A 5-39-203 or vehicle	\$30	Misd. (B)	\$10	\$50
Theft of Private Property of a Value Less than \$100 1-2203 A.C.A 5-36-103	MA	Misd. (A)	\$25	\$125

Applicable
ARK STAT

<u>OFFENSE</u>	<u>COLLATERAL</u>	<u>CLASSIFICATION</u>	<u>IND.</u>	<u>NON IND</u>
Theft of Services Where Value of Services is Less Than \$100 41-2204 A.C.A. 5-36-104	MA	Misd. (A)	\$25	\$125
Theft of Property Lost, Mislaid, or Delivered by Mistake Where Value of Property is Less Than \$1,000, but More Than \$100.00 41-2205 A.C.A. 5-36-105	MA	Misd. (B)	\$10	\$50
Theft of Property Lost, Mislaid, or Delivered by Mistake Where Value is Less Than \$100.00 41-2205 A.C.A. 5-36-105	MA	Misd. (C)	\$5	\$25
Receiving, Retaining or Disposing of Stolen Property Where Value is Less Than \$500.00 41-2206 A.C.A. 5-36-106	\$100	Misd. (A)	\$25	\$125
Unauthorized Use of a Private Vehicle 41-2208 A.C.A. 5-36-108	\$50	Misd. (A)	\$25	\$125
Pretending to be an Officer or Employee of the Government 41-2310(1)(c) A.C.A. 51-37-208	MA	Misd. (A)	\$25	\$125
Pretending to Have a Handicap or Disability 41-2310(1)(d) A.C.A. 5-37-208	\$50	Misd. (A)	\$25	\$125
Contributing to the Delinquency of a Minor 41-2406 A.C.A. 5-27-205	MA	Misd. (A)	\$25	\$125
Endangering the Welfare of a Minor 41-2408 A.C.A. 5-27-204	\$75	Misd. (A)	\$25	\$125
Obstructing Governmental Operations by Using or Threatening to Use Physical Force 41-802 A.C.A. 5-54-102	MA	Misd. (A)	\$25	\$125
Otherwise Obstructing Government Operations 41-2802 A.C.A. 5-54-102	MA	Misd. (C)	\$ 5	\$ 25

pplicable
RK STAT

<u>OFFENSE</u>	<u>COLLATERAL</u>	<u>CLASSIFICATION</u>	<u>IND.</u>	<u>NON. IND.</u>
Resisting Arrest 41-2803 A.C.A. 5-54-103	MA	Misd. (A)	\$25	\$125
Interference with a Enforcement Officer 41-2804 A.C.A. 5-54-102	\$100	Use of Physical Force Misd. (A) Otherwise Misd. (C)	\$25 \$5	\$125 \$25
Refusing to Assist a Law Enforcement Officer 41-2809 A.C.A. 5-54-109	\$50	Misd. (C)	\$5	\$25
Riot 41-2902 A.C.A. 5-71-201	MA	Misd. (A)	\$25	\$125
Inciting a Riot 41-2904 A.C.A. 5-71-203	MA	If injury to person or property Class (D) Felony Otherwise Misd. (A)	\$25	\$125
Unlawful Assembly 41-2906 A.C.A. 5-71-205	MA	Misd. (C)	\$5	\$25
Failure to Disperse During a Riot or Unlawful Assembly 41-2907 A.C.A. 5-71-206	MA	Misd. (C)	\$5	\$25
Fighting or Engaging in Violent Threatening or Tumultuous Conduct 41-2908(1)(a) A.C.A. 5-71-207	\$100	Misd. (C)	\$5	\$25
Making Unreasonable or Excessive Noise for Purpose of Causing Public Inconvenience 41-2908(1)(b) A.C.A. 5-71-207	\$25	Misd. (C)	\$5	\$25
Using Abusive or Obscene Language in a Public Place in a Manner Likely to Provoke a Disorderly Response 41-2908(1)(c) A.C.A. 5-71-207	\$25	Misd. (C)	\$5	\$25
Disrupting or Disturbing any Lawful Assembly or Meeting of Persons 41-2908(1)(d) A.C.A. 5-71-207	\$100	Misd. (C)	\$5	\$25

Applicable
3K STAT

<u>OFFENSE</u>	<u>COLLATERAL</u>	<u>CLASSIFICATION</u>	<u>IND.</u>	<u>NON. IND.</u>
Obstructing Vehicular or Pedestrian Traffic for Purpose of Causing Public Inconvenience 41-2908(1)(e) A.C.A. 5-71-207	\$100	Misd. (C)	\$5	\$25
In a Public Place Marring, Defiling, Desecrating or Otherwise Damaging a patriotic or Religious Symbol that is an Object of Respect by the Public or a Substantial Segment of the Public 41-2908(1)(h) A.C.A. 5-71-207	MA	Misd. (C)	\$5	\$25
Harrassment 41-2908 A.C.A. 5-71-208	MA	Misd. (C)	\$5	\$25
Harrassing Communications 41-2910 A.C.A. 5-71-209	MA	Misd. (A)	\$25	\$125
Communicating a False Alarm 41-2911 A.C.A. 5-72-210	MA	If physical injury to person Class (D) Felony Otherwise Misd. (A)	\$25	\$125
Threatening a Fire or Bombing 41-2912 A.C.A. 5-71-211	MA	If physical injury to person Class (D) Felony Otherwise Misd. (A)	\$25	\$125
Public Intoxication 41-2913 A.C.A. 5-71-212	\$30	Misd. (C)	\$5	\$25
Obstructing a Highway or Other Public Passage 41-2915 A.C.A. 5-71-214	\$50	Misd. (C)	\$5	\$25
Defacing Objects of Public Respect 41-2916 A.C.A. 5-71-215	MA	Misd. (A)	\$25	\$125
Defacing Public Buildings 41-2917 A.C.A. 5-71-216	MA	Misd. (A)	\$25	\$125
Carrying Prohibited Weapons 41-3151 A.C.A. 5-73-120	MA	Misd. (A)	\$25	\$125
Littering 41-3359 A.C.A. 5-67-105	\$25			

STATE OF ARKANSAS MOTOR VEHICLE LAWS
(ARKANSAS STATUTES ANN.)

<u>OFFENSE</u>	<u>COLLATERAL</u>	<u>CLASSIFICATION</u>	<u>IND.</u>	<u>NOT IN</u>
Failure to Affix or Display License Plate, Tab or Decal or Registration Card 75-133.29 A.C.A. 27-14-1005	\$10	Misd. (B)	\$10	\$2
Unlawful Taking of a Vehicle 75-170 A.C.A. 27-14-2207	MA	Misd. (C)	\$5	\$2
Injury to or Tampering with a Vehicle 75-172	\$50			
Possessing Motor Vehicle without License Plate or Current Registration 75-176 A.C.A. 27-14-304	\$10	Misd.	\$5	\$2
Improper Use of Display of License Plate of Vehicle for which Plate was not Issued 75-177 A.C.A. 27-14-306	\$10	Misd.	\$5	\$2
Unauthorized Parking in Area Desig- nated for use of Disabled or Handicapped Persons 75-266.28 A.C.A. 27-15-305(b)(1)	\$10			
Driving Without a License 75-307 A.C.A. 27-16-602	\$20			
Unlawful Use of Driver's License 75-339 A.C.A. 27-16-302	\$20	Misd.	\$5	\$2
Permitting Unauthorized Minor to Drive 75-342 A.C.A. 27-16-305	\$10	Misd.	\$5	\$2
Permitting Unauthorized Person to Drive 75-343 A.C.A. 27-16-304	\$10	Misd.	\$5	\$2
Disobeying Police Officer Engaged in Traffic Control 75-422 A.C.A. 27-49-107	\$25	Misd.	\$5	\$2

Applicable
Statute

OFFENSE	COLLATERAL	CLASSIFICATION	IND.	NON. IND.
Speeding Excessive for Conditions				
0 - 10 MPH in Excess	\$20	Infraction	\$5	\$25
10 - 20 MPH in Excess	\$30	Misd. (C)	\$5	\$25
Over 20 MPH in Excess	\$50	Misd. (C)	\$5	\$25
75-602 A.C.A. 27-51-206				
Racing on Streets	\$50	Misd. (A)	\$25	\$125
75-603 A.C.A. 27-50-309				
Driving Left of Center Line	\$20	Infraction	\$5	\$25
75-607 A.C.A. 27-51-301				
Driving Left of Center Line Resulting in an Accident	\$50	Infraction	\$5	\$25
75-607 A.C.A. 27-51-301				
Improper Passing on Left	\$15	Infraction	\$5	\$25
75-609 A.C.A. 27-51-306				
Improper Passing on Left Resulting in an Accident	\$50	Infraction	\$5	\$25
75-609 A.C.A. 27-51-306				
Following too Close	\$20	Infraction	\$5	\$25
75-614 A.C.A. 27-51-305				
Improper Turns	\$10	Infraction	\$5	\$25
76-615 A.C.A. 27-51-401				
Improper Turns Resulting in an Accident	\$20	Infraction	\$5	\$25
75-615 A.C.A. 27-51-401				
Failure to Give Required Turn	\$10	Infraction	\$5	\$25
75-618 A.C.A. 27-51-403				
Failure to Yield Right of Way Approaching or Entering Intersection	\$10	Infraction	\$5	\$25
75-621 A.C.A. 27-51-501				
Failure to Yield Turning Left at Intersection	\$20	Infraction	\$5	\$25
75-622 A.C.A. 27-51-502				
Failure to Obey Yield Sign	\$5			
75-623 A.C.A. 27-51-503				
1st	\$5			
2nd	\$10	Infraction	\$5	\$25

Intentional Injury to or Interference
with Property of the United States With

MA

This section does not say whether
this is a felony or misdemeanor.

Applicable
Statute

Statute	OFFENSE	COLLATERAL	CLASS.	INDIV.	OTHER THAN INDIV.	
	Failure to Obey Stop Sign	1st	\$5	Infr.	\$5	\$25
		2nd	\$10	Infr.	\$5	\$25
75-624	27-51-601					
	Failure to Yield to Emergency Vehicle		\$35	Infr.	\$5	\$25
75-625	27-51-901					
	Failure to Yield to Pedestrian in Marked Crosswalk		\$5	Infr.	\$5	\$25
75-627	27-51-1202					
	Failure of Pedestrian to Yield when Crossing Roadway at other than Marked Crosswalk		\$3	Infr.	\$5	\$25
75-627	27-51-1202					
	Illegal Stopping, Standing or Parking	1st	\$2	Infr.	\$5	\$25
		2nd	\$3	Infr.	\$5	\$25
75-649	27-51-1304	3rd	\$5	Infr.	\$5	\$25
	Driving with Obstructed View or More Than Three Persons in Front Seat		\$25	Infr.	\$5	\$25
75-652	27-51-1401					
	Throwing Destructive or Injurious Materials on Highway		\$25	Infr.	\$5	\$25
75-657	27-51-1405					
	Failure to Stop for School Bus Stopped to Load or Unload Children		\$25	Misd.	\$5	\$ 5
75-658	27-51-1004					
	Driving Without Headlights		\$10	Misd.	\$5	\$25
75-702	27-36-204					
	Driving With Defective Tail Lights		\$5	Misd.	\$5	\$25
75-704	27-36-215					
	Defective Brakes		\$10	Misd.	\$5	\$25
75-724	27-37-501, 502					
	Driving with Muffler, Cutout, Bypass or any Similar Device which Produces Excessive or Unusual Noise or Smoke		\$10	Misd.	\$5	\$25
75-726	27-37-601					
	Failure to Stop for Accident Involving Death or Personal Injuries	NA	Class D Felony			
75-901	27-53-101					

Applicable
Statute

OFFENSE	COLLATERAL	CLASS.	INDIV.	OTHER THAN INDIV.
Failure to Stop for Accident Involving Property Damage 75-902 27-53-102	\$50	Misd.	\$5	\$25
Failure to Give Name and Address After Striking Unattended Vehicle 75-904 27-53-104	\$25	Infr.	\$5	\$25
Failure to Report Accident Involving Injury of Property Damage in Excess of \$1,000.00 75-906 27-53-201, 202	\$50	Misd.	\$5	\$25
Reckless Driving 1st NLT \$25 2nd NLT \$50 75-1003 27-50-308		Misd.(B) Misd.(B)	\$10 \$10	\$50 \$50
Operating Vehicle Under Influence of a Controlled Substance 75-1026.1	MA	(1st, 2nd, & 3rd offense (Class (A) Misd. with \$25 individual (and \$125 other than individual; 4th (offense: Felony with 25 individual (and \$125 other than individual)		
Driving Under Influence of an Intoxicating Liquor 75-1027 5-65-103	MA	(
Driving While License Suspended or Revoked 75-1053 27-50-301	MA	Misd.(A)	\$25	\$125
Driving With Lights Off to Avoid Detection, Identification or Apprehension 75-1055(F) 27-50-302	\$100	Misd.(B)	\$10	\$50
Going Wrong Way on a One Way Street 75-1055(j) 27-50-302	\$10	Misd.(C)	\$5	\$25
Possession of a Counterfeit or Deliberately Altered Driver's License 75-1056 27-50-303	\$50	Misd.(A)	\$25	\$125
Failure to Comply With State Motor Vehicle Safety Responsibility Act 75-1484 27-19-301	\$100	Misd.(C)	\$5	\$25

Applicable
Statute

<u>OFFENSE</u>	<u>COLLATERAL</u>	<u>CLASS.</u>	<u>INDIV.</u>	<u>OTHER THAN INDIV.</u>
Riding More Than Two (2) Persons on any Motor-Driven Cycle. 75-1702 27-20-110	\$10	Misd.	\$5	\$25
Improper Equipment on any Motor-Driven Cycle 75-1703 27-20-104	\$10	Misd.	\$5	\$25

FEDERAL AND STATE GAME AND FISH
VIOLATIONS - APPLICABLE TO PINE
BLUFF ARSENAL

Applicable
Statute

OFFENSE	COLLATERAL	CLASS.	INDIV.	OTHER THAN INDIV.
Hunting Without Non-Resident Hunting License 47-201B 15-42-111	\$25	Misd.	\$5	\$25
Hunting Without Resident Hunting License 47-201A 15-42-109	\$25	Misd.	\$5	\$25
Trapping Without State Trappers License 47-201E 15-42-204	\$25	Misd.	\$5	\$25
Fishing Without Resident Fishing License 47-208 15-42-106	\$25	Misd.	\$5	\$25
Fishing Without Non-Resident Fishing License 47-208 15-42-107	\$25	Misd.	\$5	\$25
Hunting, Taking or Possessing Deer Out of Season 47-301A 15-43-201	\$200	Misd.	\$5	\$25
Possessing or Transporting Carcass of any Deer from Which Natural Evidence of Sex Cannot be Determined 47-301D 15-43-202	\$50	Misd.	\$5	\$25
Limit on Deer (Exceeding Bag Limit on Deer) 47-301E 15-43-203	\$150	Misd.	\$5	\$25
Unlawfully Taking Doe 47-301F 15-43-203	\$150	Misd.	\$5	\$25
Hunting, Taking or Possessing Wild Turkey Out of Season 47-304A 15-43-208	\$75	Misd.	\$5	\$25
Baiting Wild Turkey 47-304B 15-43-208	\$75	Misd.	\$5	\$25
Exceeding Bag Limit on Wild Turkey 47-304D 15-43-209	\$75	Misd.	\$5	\$25

Applicable Statute

OFFENSE	COLLATERAL	CLASS.	INDIV.	OTHER THAN INDIV.
Hunting, Shooting, Wounding, Killing or Possessing Wild Turkey pens 47-304E 15-43-210	\$75	Misd.	\$5	\$25
Hunting, Shooting, Killing or Possessing Quail Out of Season 47-306A 15-43-218	\$100	Misd.	\$5	\$25
Exceeding Bag Limit On Quail 47-306E 15-43-219	\$25	Misd.	\$5	\$25
Hunting, Shooting, Killing or Possessing Wild Geese, Wild Duck, Brant, Coot, Gallinule, Wilson or Jack Snipe, Rail, Black-Bellied or Golden Plover, Woodcock, Mourning Dove or Turtle Dove Out of Season 47-307 15-43-220	\$100	Misd.	\$5	\$25
Exceeding Bag Limit of Any Wild Birds Listed in 47-307 47-308 15-43-221	\$100	Misd.	\$5	\$25
Lawful Use of Decoys 47-309 15-43-222	\$50	Misd.	\$5	\$25
Baiting Migratory Birds 47-310 15-43-226	\$50	Misd.	\$5	\$25
Shooting Wild Duck or Geese Before Sunrise or After Sunset 47-311 15-43-229	\$25	Misd.	\$5	\$25
Hunting, Capturing or Killing any Migratory Game Bird by or with Use of a Boat or Airplane 47-311 15-43-229	\$25	Misd.	\$5	\$25
Shooting of Squirrel from a Boat 47-311 15-43-229	\$10	Misd.	\$5	\$25
Hunting, Shooting, Killing Squirrel Out of Season 47-315A 15-43-228	\$10	Misd.	\$5	\$25
Exceeding Daily Bag Limit on Squirrel 47-315B 15-43-228	\$10	Misd.	\$5	\$25

Applicable
Statute

OFFENSE	COLLATERAL	CLASS.	INDIV.	OTHER THAN INDIV.
Waste of Game 47-502E 15-43-237	\$100	Misd.	\$5	\$25
Setting Fire to Woods or Marshlands 47-502H 15-43-107	MA	Misd.	\$5	\$25
Leaving a Campfire Without Extinguishing It 47-507H 15-43-107	\$50	Misd.	\$5	\$25
Negligent Discharge of Firearms While Hunting Deer 47-555 15-43-205	\$50	Misd..(B)	\$10	\$50
Failure to Pay Admission, Recreation Use, and Special Recreation Permit Fees (Theft of Services) 47-2204	\$25	Not listed in Ark. Code Ann. of 1987		
Failure to Wear Required Hunter Orange Clothing in Firearm Area 47-107	\$25	Not listed in Ark. Code Ann. of 1987		
Hunting with Prohibited High- Powered Rifle 47-107	\$50	Not listed in Ark. Code Ann. of 1987		
Exceeding Bag Limits on Small Game 47-107	\$50	Not listed in Ark. Code Ann. of 1987		
Failure to Wear Hunter Orange as Required by Arkansas Game and Fish Commission Regulation 47-117 15-41-101	\$25	Not listed in Ark. Code Ann. of 1987		

Applicable
Statute

OFFENSE

COLLATERAL

CLASS.

INDIV.

OTHER
THAN
INDIV.

NATIONAL FISH AND WILDLIFE VIOLATIONS

TITLE 50, CODE OF FEDERAL REGULATIONS

Applicable Statute/CFR Sections

OFFENSE

COLLATERAL

		<u>CLASS</u>	<u>IND.</u>	<u>NON-IND.</u>
Migratory Bird Treaty Act, 16 U.S.C. 703				
Taking or Possessing Migratory Non-Game Birds	\$50	Misd.(B)	\$10	\$50
Each Non-Game Bird Taken or Possessed Beyond One	\$10 (ea)	Misd.(B)	\$10	\$50
16 U.S.C. 703				
Migratory Bird Hunting Stamp Act, 16 U.S.C. 718				
Taking Migratory Waterfowl Without a Stamp	\$100	Misd.(B)	\$10	\$50
16 U.S.C. 718				
Improper (Unsigned Stamp)	\$100	Misd.(B)	\$10	\$50
16 U.S.C. 718				
50 CFR Part 20 - Migratory Bird Hunting (Subpart C - Taking)				
Taking Migratory Game Birds During Closed Season	\$100	Misd.(B)	\$10	\$50
50 CFR 20.22				
Taking Before or After Legal Shooting Hours	\$50	Misd.(B)	\$10	\$50
50 CFR 20.23				
Taking in Excess of Daily Bag Limit	\$50 -	Misd.(B)	\$10	\$50
50 CFR 20.24				
Wanton Waste or Failure to Make Reasonable Efforts to Retrieve	\$50	Misd.(B)	\$10	\$50

COLLATERAL SCHEDULE FOR THE BUREAU OF LAND MANAGEMENT EASTERN DISTRICT OF ARKANSAS	PROPOSED BOND AMOUNTS
If alleged violation is aggravated, mandatory appearance or arrest may be required.	
FEDERAL LAND POLICY AND MANAGEMENT ACT <u>43 U.S.C. §1701 et seq.</u> Under §303(a) of the Federal Land Policy and Management Act of 1976, any person who Knowingly and Willfully violates any such regulation which is lawfully issued pursuant to this Act shall be fined not more than \$1,000 or imprisoned no more that twelve months or both.	
SPECIAL RECREATION PERMITS <i>Commercial Use, Competitive Events, Organized Groups, and Recreation Use in Special Areas</i> <u>43 CFR §2932.57</u> (a) On all public lands and related waters it is prohibited to:	
(1) Fail to obtain a permit and pay any fee .	\$500
(2) Violate stipulations or conditions of permit;	\$100 per stipulation
(3) Participate in an event or use where no permit has been issued.	\$100
(4) Fail to post a copy of any commercial or competition permit where all participants can read.	\$100
(5) Fail to show a copy of the Special Recreation Permit to BLM employee or participant upon request.	\$500
(6) Obstruct or impede pedestrians or vehicles, or harass visitors or other persons with physical contact while engaged in activities covered under a permit or other authorization	\$250
(7) Refuse to leave or disperse, when directed to do so by a BLM law enforcement officer or State or Local law enforcement officer, whether you have a required Special Recreation Permit or not	\$250

USE AND OCCUPANCY UNDER THE MINING LAWS 43 CFR § 3715.6	
(a) Placing, constructing or using structures on mine claim	\$250
(b) Beginning occupancy w/o approval	\$250
(c) Beginning occupancy before consultation w/BLM (As required for activities that do not require a plan or do not come under casual use)	\$250
(d) Beginning occupancy w/o concurrence -non conformance	\$250
(e) Not complying with any order	\$100
(f) Preventing/obstructing passage through public lands	\$250
(g) Placing enclosures, gates or fences to exclude public	\$150
(h) Causing a fire, safety hazard or public nuisance	\$150
(i) Failure to comply with occupancy requirements	\$250
(j) Conduct activities that are not reasonably incident to mining	\$250
GRAZING ADMINISTRATION 43 CFR § 4140.1 (b) Persons performing the following prohibited acts may be subject to civil and criminal penalties under §4170.1:	
(2) Installing, using, maintaining, modifying, and/or removing range improvements without authorization	\$150
(3) Cutting, burning, spraying, destroying, or removing vegetation without authorization	\$150
(4) Damaging or removing U.S. property without authorization	\$250
(5) Molesting, harassing, injuring, poisoning, or causing the death of livestock authorized to graze on these lands	\$250
(6) Littering	\$150
(7) Interfering with lawful uses or users	\$250
(8) Knowingly or willingly making a false statement or representation in base property certifications, grazing applications, range improvement permit applications, cooperative agreements, actual use reports and/or amendments thereto	\$250
(9) Failing to pay any fee required by the authorized officer	\$150
(10) Failing to reclaim and repair any lands property or resources when required	\$250

WILD FREE ROAMING HORSE AND BURRO MANAGEMENT <u>43 CFR § 4770.1</u>	
The following acts are prohibited:	
(a) Maliciously or negligently injuring or harassing a wild horse or burro	\$250
(c) Destroying a wild horse or burro, except as an act of mercy	\$250
(d) Selling a wild horse or burro	\$250
(e) Commercially exploiting a wild horse or burro	\$250
(f) Treating a wild horse or burro inhumanely	\$250
(g) Violating a term or condition of Private Maintenance and Care Agreement	\$150
(h) Branding a wild horse or burro	\$250
(i) Removing or altering the freeze mark on a wild horse or burro	\$250
(j) Violating an order, term or condition established by the authorized officer	\$250
OFF-ROAD VEHICLES REGULATIONS GOVERNING USE <u>43 CFR § 8341.1</u>	
(b) Any person operating an off-road vehicle on those areas and trails designated as limited shall conform to all terms and conditions of the applicable designation orders.	\$100
(c) The operation of off-road vehicles is prohibited on those areas and trails closed to off-road vehicle use.	\$200
(d) It is prohibited to operate an off-road vehicle in violation of state laws and regulations relating to use, standards, registration, operation, and inspection of off-road vehicles.	\$ 50
(e) No person may operate an off-road vehicle on public lands without a valid operator's license or learner's permit where required by State or Federal law.	\$ 50
(f) No person shall operate an off-road vehicle on public lands:	
(1) In a reckless, careless, or negligent manner;	\$200
(2) In excess of established speed limits (for every mile per hour over limit)	\$5/mph over limit
(3) While under the influence of alcohol, narcotics, or dangerous drugs.	\$250
(4) In a manner causing, or likely to cause, significant, undue damage to or disturbance of the soil, wildlife, wildlife habitat, improvements, cultural, or vegetative resources or other authorized uses of the public lands; and	\$150
(5) During night hours, from a half-hour after sunset to a half-hour before sunrise, without lighted headlights and taillights.	\$ 50
(g) Drivers of off-road vehicles shall yield the right-of-way to pedestrians, saddle horses, pack trains, and animal-drawn vehicles.	\$ 50

CLOSURES AND RESTRICTIONS 43 CFR § 8364.1(d) Any person who fails to comply with a closure or restriction order under this subpart, may be subject to the penalties provided in § 8360.0-7 of this title.	\$100
SANITATION 43 CFR § 8365.1-1 (b) On all public lands, no person shall, unless otherwise authorized:	
(1) Dispose of any cans, bottles and other nonflammable trash and garbage except in designated places or receptacles;	\$250
(2) Dispose of flammable trash or garbage except by burning in designated places or receptacles;	\$250
(3) Drain sewage or petroleum products or dump refuse or waste other than wash water from any trailer or other vehicle except in places or receptacles provided for that purpose.If hazmat	\$250 \$500
(4) Dispose of any household, commercial, or industrial refuse or waste brought as such from private or municipal propertyIf hazmat	\$250 \$500
(5) Pollute or contaminate water supplies or water used for human consumption;If hazmat	\$250 \$500
(6) Use a refuse container or disposal facility for any purpose other than for which it is supplied.	\$250

PUBLIC HEALTH, SAFETY, AND COMFORT**43 CFR § 8365.1-4**

(a) No person shall cause a public disturbance or create a risk to other persons on public lands by engaging in activities which include, but are not limited to, the following:

(1) Making unreasonable noise;	\$ 50
(2) Creating a hazard or nuisance;	\$100
(3) Refusing to disperse, when directed to do so by an authorized officer;	\$200
(4) Resisting arrest or issuance of citation by an authorized officer engaged in performance of official duties; interfering with any Bureau of Land Management employee or volunteer engaged in performance of official duties.	\$200
(5) Assaulting or committing a battery upon, or	\$250
(6) Knowingly giving any false or fraudulent report of an emergency situation or crime to any BLM employee or volunteer engaged in the performance of official duties	\$250
(b) No person shall engage in the following activities on the public lands:	
(1) Cultivating, manufacturing, delivering, distributing or trafficking a controlled substance	\$500
(2) Possessing a controlled substance	\$250

WILDFIRE PREVENTION**43 CFR § 9212.1**

Unless permitted in writing by the authorized officer, it is prohibited on the public lands to:

(a) Cause a fire, other than a campfire, or the industrial flaring of gas. to be ignited by any source;	\$100
(b) Fire a tracer or incendiary device;	\$100
(c) Burn, timber, trees, slash, brush, tundra or grass except as used in campfires;	\$100
(d) Leave a fire without extinguishing it, except to report it if it has spread beyond control;	\$100
(e) Build, attend, maintain or use a campfire without removing all flammable material from around campfire adequate to prevent its escape;	\$ 50
(f) Resist or interfere with the efforts of firefighter(s) to extinguish a fire;	\$250
(g) Enter an area which is closed by a fire prevention order	\$100
(h) Perform any act restricted by a fire prevention order	\$100

<p>TAYLOR GRAZING ACT <u>43 U.S.C. § 315 et seq.</u></p> <p>Under § 2 of the Taylor Grazing Act of 1934, any person who willfully violates the provisions of 43 CFR § 9264, or of approved special rules and regulations is punishable by a fine of \$500.</p> <p style="text-align: center;">***OR***</p> <p>FEDERAL LAND POLICY AND MANAGEMENT ACT <u>43 U.S.C. § 1701 et seq.</u></p> <p>Under § 303(a) of the Federal Land Policy and Management Act of 1976, any person who Knowingly and Willfully violates any such regulation which is lawfully issued pursuant to this Act shall be fined not more than \$1,000 or imprisoned no more that twelve months or both.</p>	
<p>GRAZING ADMINISTRATION <u>43 CFR § 9264.1</u></p>	
<p>(a) Allowing livestock or other privately-owned or controlled animals to graze on or be driven across those lands without a permit or lease or in violation of the terms and conditions of a permit or lease, either by exceeding the number of livestock authorized, or by allowing livestock to be on these lands in an area or at a time different from that designated;</p>	<p>\$100</p>
<p>(b) Installing, using, maintaining, modifying, and/or removing range improvements without authorization;</p>	<p>\$100</p>
<p>(c) Cutting, burning, spraying, destroying, or removing vegetation without authorization;</p>	<p>\$ 50</p>
<p>(d) Damaging or removing United States property without authorization;</p>	<p>\$100</p>
<p>(e) Molesting livestock authorized to graze on these lands.</p>	<p>\$100</p>
<p>(f) Littering;</p>	<p>\$ 50</p>
<p>(g) Violating any provision of 43 CFR Part 4700 concerning the protection and management of wild free-roaming horses and burros.</p>	<p>\$100</p>
<p>(h) Violating any Federal or State laws or regulations concerning conservation or protection of natural and cultural resources or the environment including, but not limited to, those relating to air and water quality, protection of fish and wildlife, plants, and the use of chemical toxicants.</p>	<p>\$100 or current CO Div of Wildlife fine for game/fish</p>
<p>(i) Interfering with lawful uses or users;</p>	<p>\$100</p>
<p>(j) Knowingly or willfully making a false statement or representation in base property certification, grazing applications, and/or amendments thereto.</p>	<p>\$100</p>

<p>WILD HORSES AND BURROS <u>16 U.S.C. § 1331 et. seq.</u> Under § 8 of the Wild Free-Roaming Horse and Burro Act of 1971, any person who willfully violates any provisions of the regulations under §,9264.7 of this title shall be subject to a fine of not more than \$2,000 or imprisonment for not more than 1 year, or both.</p>	
<p><u>43 CFR § 9264.7</u> (a) In accordance with § 8 of the Wild Free-Roaming Horse and Burro Act, any person who: (Collateral amounts per animal)</p> <p>(1) Willfully removing wild horse or burro \$100</p> <p>(2) Converts wild horse or burro to private use \$100</p> <p>(3) Maliciously causes death or harassment of wild horse or burro \$100</p> <p>(4) Processes, or permits to be processed into commercial products, the remains of a wild free roaming horse or burro \$250</p> <p>(5) Selling wild horse or burro \$100</p> <p>(6) Commercial exploitation \$100</p> <p>(7) Causing inhumane treatment \$100</p> <p>(8) Using for bucking stock \$100</p> <p>(9) Fail to produce for inspection upon written notice \$100</p> <p>(10) Fail to notify of death within seven days \$ 50</p> <p>(11) Remove, or attempt to remove or alter freeze-mark \$100</p> <p>(12) Abandoning wild horse or burro \$250</p> <p>(13) Failure to attempt to capture escaped animal \$100</p> <p>(14) Accept for slaughter without title \$250</p> <p>(15) Failure to retain certificate of title for one year after slaughter or destruction \$250</p>	
<p>AMERICAN ANTIQUITIES <u>16 USC § 433</u> Any person who shall appropriate, excavate, injure, or destroy an historic or prehistoric ruin or monument or any object of antiquity, situated on public lands owned or controlled by the Government of the United States, without the permission of the Secretary of the Department of the government having jurisdiction over the lands on which said antiquities are situated, shall, upon conviction, be fined in a sum of not more than \$500 or be imprisoned for a period of not more than ninety days, or shall suffer both fine and imprisonment, in the discretion of the court.</p>	\$250
<p>SURVEY MARKS DESTROYED OR REMOVED <u>18 USC § 1858</u> Whoever willfully destroys, defaces, changes, or removes to another place any section, corner, quarter-section corner, or meander post, on any government line of survey, or willfully cuts down any witness tree or any tree blazed to mark the line of a Government survey, or willfully defaces, changes, or removes any monument or bench mark of any government survey.</p>	\$250

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS

IN RE SEARCH AND SEIZURE WARRANTS

GENERAL ORDER NO. 22

Because there is a compelling interest in protecting from public disclosure all search or seizure warrant-related documents until the warrant is executed or becomes unexecutable and because no less restrictive alternative is practical to protect that interest, the issuing District or Magistrate Judge must maintain the confidentiality of all warrant-related documents until they are delivered to the Clerk for filing. Upon receipt of the return inventory on an executed warrant, or upon expiration of the time specified in the warrant for its execution, the Judge must deliver all warrant-related papers to the Clerk of Court for filing in a miscellaneous warrant file.

In order to request that the Judge seal some or all of the documents in any miscellaneous warrant file, the United States Attorney must submit an *ex parte* motion to seal, along with a proposed Order granting that motion. This motion must state reasonably specific facts which establish that: (a) the government has a compelling interest in sealing the documents in question which outweighs the public's qualified first amendment right of access to review those documents; and (b) no less restrictive alternative to sealing is appropriate or practical. **Ordinarily, such a motion must be filed at the time of application for the warrant.** If grounds to seal arise after the warrant has been issued, the United States may, within seven days after the Clerk has filed the warrant papers, submit an *ex parte* motion to seal and a proposed order. The motion must establish, in addition to the above grounds, that the basis for sealing was not known at the time of the warrant application, despite due diligence.

Because there may be cases in which a person's or other entity's privacy interests rise to the level of a compelling interest sufficient to justify sealing documents in a warrant file, such persons or entities may file a motion to seal, *ex parte*, within seven days after the Clerk has filed the warrant papers.

If no motion to seal has been filed within seven days after the Clerk has filed the warrant papers, the Clerk must open the file to the public for inspection and copying. If a motion to seal is filed, the miscellaneous warrant file must remain sealed until the Judge has ruled on the motion. The Judge must rule on any motion to seal within seven days after the motion is filed. If a motion to seal is denied, the miscellaneous warrant file must remain sealed during the period in which an appeal may be filed.

When the Judge delivers the warrant papers to the Clerk for filing, the Clerk must create and maintain a separate miscellaneous file which must contain the application for the warrant, all supporting affidavits and any return inventory, related motions or orders. The Clerk must also create and maintain a docket sheet, open to the public for inspection and copying, for every miscellaneous warrant file, including files in which an order to seal has been entered. The docket sheet must contain docket entries that describe generally each document in the file and reflect the number of pages of each such document. If the Judge enters an order granting a motion to seal, the Clerk must maintain all documents within the scope of the order to seal in a sealed miscellaneous file.

Any person or other entity seeking to challenge the grounds supporting an order to seal documents contained in a miscellaneous warrant file must submit a motion, directed to the Magistrate Judge or District Judge who signed the warrant, stating specific grounds supporting the release of the sealed documents. In opposing such a motion, the party who obtained the order to

seal has the burden of establishing that a compelling interest justifies a restriction of the public's qualified first amendment right of access to the documents in question and that no less restrictive alternative to sealing is appropriate or practical. In appropriate cases, the Judge may conduct an *in camera* hearing to develop the facts necessary to determine whether a compelling interest justifies sealing the documents in question. If the Judge concludes that the documents should remain under seal, the Judge will enter an order under seal containing specific findings that explain why sealing is necessary and why no less restrictive alternatives are practical or appropriate. The Clerk must open any sealed miscellaneous warrant file after a related indictment or information is filed.

DATED this 20th day of September, 2001.

/s/ Susan Webber Wright
SUSAN WEBBER WRIGHT, CHIEF JUDGE
UNITED STATES DISTRICT COURT

Amended November 10, 2009

Amended June 1, 2010

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

IN THE MATTER OF FILING OF CIVIL RIGHTS
CASES UNDER TITLE VII (42 USC 2000e)

GENERAL ORDER NO. 29

The recent Supreme Court decision in Baldwin County Welcome Center v. Brown prohibits the tolling of the time for filing the Complaint in a Title VII (42:2000e) case upon the filing of the right-to-sue letter. This Court has experienced some procedural problems in the expeditious filing of these cases since the plaintiff usually waits until the deadline approaches to bring in his right-to-sue letter, and normally has a Motion to Proceed In Forma Pauperis (IFP) attached to the letter. Unless the Court gives an immediate ruling on the Motion to Proceed IFP, the 90-day time limit will expire, thus denying plaintiff his day in court.

In order to more expeditiously process these Title VII (42:2000e) cases through the filing stage, the Court hereby adopts the following procedures:

A. WHEN THE RIGHT-TO-SUE LETTER IS BROUGHT IN PERSONALLY BY PLAINTIFF:

1. The Clerk will inquire if plaintiff desires to proceed IFP and desires to have counsel appointed.
2. If answered affirmatively, the Clerk will provide plaintiff with the necessary forms for requesting leave to proceed IFP and the support affidavit. If plaintiff desires the Court to appoint counsel that form will also be provided.
3. A form of Complaint under Title VII will be furnished to plaintiff who will complete the form and return it to the Clerk immediately. The right-to-sue letter is to be attached to the Complaint.

4. The Clerk is hereby given authority to approve the petition to proceed as a pauper, and promptly file the Complaint. Upon review of the petition, if it is determined by the Judge to whom the case is assigned that the plaintiff is not a pauper and the Complaint was erroneously filed, he/she will notify the plaintiff to pay the statutory filing fee or the Complaint will be dismissed.
5. The assigned Judge will rule on the pending Motion for Appointment of Counsel.
6. The Clerk's office should make no effort to determine if the Complaint is filed within 90 days from receipt of the right-to-sue letter.
7. This procedure eliminates the setting up of a miscellaneous file for this proceeding.

B. WHEN THE RIGHT-TO-SUE LETTER ONLY IS RECEIVED BY MAIL:

1. The Clerk will file stamp the right-to-sure letter and set up a miscellaneous case file.
2. The Clerk will promptly (meaning the same day) send to plaintiff the forms to proceed IFP, request for Appointment of Counsel, and the form for Complaint. The Clerk shall mail these documents with a transmittal letter explaining the importance of filing the Complaint within the 90-day time period, and that plaintiff will be in a danger of losing his right to proceed under Title VII if the Complaint is not timely filed. A copy of the letter will be placed in the miscellaneous file.

The Complaint, IFP form, and Motion for Appointment of Counsel should all be cross-referenced with the miscellaneous case file number in order to

retrieve the right-to-sue letter when the completed forms are returned.

3. Upon receipt of the completed forms set out in paragraph 2 above, the Clerk and assigned Judge will follow the procedures outlined in paragraph A4 through A6 above.

IT IS SO ORDERED THIS 7th day of January, 1991.

FOR THE COURT:

/s/ Garnett Thomas Eisele

G. THOMAS EISELE, CHIEF JUDGE
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

IN THE MATTER OF THE
PRACTICE OF EX-LAW CLERKS

GENERAL ORDER NO. 32

General Order No. 31, dated June 6, 1986, is hereby set aside.

Effective the 1st day of July 1985, no person who was employed as a law clerk by and for any judge of this Court shall, directly or indirectly, participate in any contested proceeding before that judge for the period of two (2) years after said person's termination of employment as such law clerk. This prohibition is also personal to the judge involved and will not disqualify any other judge of this Court from handling any such matter. The Clerk of this Court will keep a record on the ex-law clerks of each judge. In the event a contested proceeding participated in by an ex-law clerk during the prohibited period is, by the draw, assigned to the judge for whom, and under whose direction, said law clerk previously worked, then that judge will be deemed to have automatically recused himself or herself, and the Clerk, without further instructions, will redraw the case until it falls to another non-disqualified judge.

This Order shall also apply to the ex-law clerks of the United States Magistrates except with regard to routine pre-trial appearances in criminal cases.

Further, this Order shall also apply to the law clerks of United States Bankruptcy Judges EXCEPT that the prohibited period will be one year rather than two years and EXCEPT that there shall be no prohibited period for persons whose employment as bankruptcy law clerks terminated prior to the date of this Order or to those persons currently employed as bankruptcy law clerks.

The latter exception is provided inasmuch as the bankruptcy law clerks currently employed accepted their positions when no prohibited period applied in regard to them.

DATED this 25th day of June, 1986. NUNC PRO TUNC July 1, 1985, except in regard to law clerks for United States Bankruptcy Judges as set forth above.

FOR THE COURT:

/s/ Garnett Thomas Eisele
G. THOMAS EISELE, CHIEF JUDGE
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

IN THE MATTER OF AUTHORIZATION
FOR PRETRIAL SERVICES TO CONDUCT
URINALYSES IN CONNECTION WITH
PRETRIAL SERVICES INVESTIGATIONS

GENERAL ORDER NO. 37

Section 7304 of the Anti Drug Abuse Act of 1988 (Pub. L. No. 100-690, 102 Stat. 4464 (November 18, 1988)) created a two year demonstration drug testing program, requiring, inter alia, drug testing of criminal defendants to be completed, where feasible, prior to the defendants' appearance before judicial officers. The Eastern District of Arkansas was selected by the Judicial Conference as one of the eight districts to participate in the program.

That pilot program commenced on January 1, 1989, and terminated by operation of the statute on December 31, 1990. The Court has been advised, however, that the Administrative Office of the United States Courts will provide funding to test criminal defendants prior to their initial appearances for those demonstration districts that choose to continue the program pending congressional action on a permanent and national testing program.

The Court has considered its experience with the pretrial drug testing pilot program over the two years of its operation and finds that the program has resulted in the judicial officers of this district receiving important, relevant, and timely information that permitted those officers to make more informed pretrial release decisions under the provisions of 18 U.S.C. Section 3142.

The program's operation has not only resulted in more informed pretrial release decisions but has also made the identification of defendants with special problems possible. In many instances it has resulted in much needed help for defendants who want it.

IT IS THEREFORE ORDERED that the Probation Office for the Eastern District of Arkansas be, and it is hereby, authorized to continue performing urinalyses for criminal defendants accused of drug manufacture, possession, or distribution prior to their initial appearance before the judicial officers of this district and that the results of those tests be included in the pretrial services report presented to those officers. In all other cases, a pretrial services officer shall contact the duty magistrate judge to determine whether the defendant shall be tested.

DATED this 13th day of November, 1991.

/s/ Stephen M. Reasoner
STEPHEN M. REASONER, CHIEF JUDGE
U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

IN THE MATTER OF IMPLEMENTATION
OF LOCAL RULE 6 ON CASE ASSIGNMENTS
IN THE EASTERN DISTRICT OF ARKANSAS

GENERAL ORDER NO. 39

(a) All actions and proceedings shall be assigned by a random selection process, except as specifically set out in section (b) of this rule.

(b) Civil cases shall be assigned directly to a particular judge only in the following circumstances:

(1) Voluntary Nonsuit. When the plaintiff takes a voluntary nonsuit in a case and subsequently refiles that same case, the clerk will assign it to the judge who handled it at the time of the entry of the nonsuit order. The refiled complaint shall contain a brief paragraph identifying, by style and case number, the former proceedings in which the voluntary nonsuit was entered and the name of the judge handling the case when the voluntary nonsuit order was entered.

(2) Bankruptcy Jury Trials. When a party to a bankruptcy case demands a jury trial, the randomly drawn district judge who determines that there is a bona fide jury issue shall be assigned the case directly.

(3) Habeas Corpus Petitions. Once a habeas corpus petition has been randomly assigned, all successive petitions emanating from the same state criminal proceeding on which the first petition was based shall be assigned directly to the judge/magistrate who handled the first petition.

(4) Civil Cases Attacking Federal Sentence. Civil cases, filed pursuant

to 28 U.S.C. § 2255, attacking a sentence imposed by a federal court shall be assigned directly to the sentencing judge in the criminal case.

(5) Related Cases. There may be rare situations in which a party believes a new civil case should be directly assigned to a particular judge because the new case is closely related to a prior closed case and the assignment thereof to a different judge would result in a significant waste of judicial time. If a plaintiff believes judicial economy requires such a direct assignment, he or she should so indicate by a separate pleading to be entitled “Notice of Related Case” to be filed contemporaneously with the complaint and served with the complaint upon the defendant(s).

The Notice of Related Case shall identify, by style and case number, the prior case and shall contain a brief statement setting out why judicial economy dictates direct assignment to a particular judge. When a plaintiff files such a pleading, the new case shall be tentatively assigned to the judge who handled the prior case. The adverse party(ies) shall have fourteen days after receiving the “Notice of Related Case” within which to file a brief statement opposing such “related case” assignment. After reviewing the cases and the submissions of the parties to determine whether the cases are closely related and whether such non-random assignment is likely to result in significant savings of judicial resources, the judge assigned the new case may, in his or her sole discretion, decide either to keep the new case or to notify the clerk to assign the new case by random draw. The decision of the judge is final and not subject to review.

If a party other than the plaintiff believes a new case should be directly assigned to a judge who handled a prior closely related case, that party should file a “Notice of Related Case” with its first pleading and serve a copy thereof on all other parties. Such other

parties shall have fourteen days after receiving such “Notice of Related Case” within which to file a brief statement opposing such “related case assignment. The clerk shall submit a copy of the complaint, the first pleading together with the Notice of Related Case and any responses thereto to the judge who presided over the prior case. After reviewing the cases and the submissions of the parties to determine whether they are closely related and whether such non-random assignment is likely to result in significant savings of judicial resources, the judge in the prior case may, in his or her sole discretion, notify the clerk to leave the random case assignment as it is, or to transfer the case to his or her docket as a related case. The decision of the judge is final and not subject to review.

(6) Civil Forfeiture. When a civil forfeiture action arises out of a previously filed criminal case, the clerk shall directly assign the civil forfeiture action to the judge who handled the criminal case.

(c) Consolidation of Civil Cases. Any party to a civil case may move for consolidation of pending cases. If such motion is granted, the consolidation cases will be assigned to the judge with the lower (lowest) case number.

(d) Criminal Cases. Criminal cases shall be assigned solely on a random selection basis. In no event shall any criminal case or proceeding be directly assigned to a judge as a related case. However, any party to a criminal case may move for consolidation of pending cases. If such motion is granted, the consolidated cases will be assigned to the judge with the lower (lowest) case number.

(e) No person shall take any action designed to cause the assignment of any proceeding to a particular judge contrary to the provisions of this rule. The method of assignment shall assure the identity of the assigned judge will not be disclosed by the clerk, the clerk's staff, nor by any

other person, until after filing. It shall also be designed to prevent any litigant from choosing the judge to whom an action or proceeding is to be assigned. Any attempt by any attorney to vary this intent shall constitute grounds for discipline, including disbarment. Any act by any employee of this Court done for the purpose of causing the assignment of any case or proceeding contrary to the provisions of this rule shall be considered a proper basis for immediate discharge.

It is hereby ORDERED this 4th day of May, 2001.

/s/ Susan Webber Wright
SUSAN WEBBER WRIGHT, CHIEF JUDGE
UNITED STATES DISTRICT COURT

Amended November 10, 2009

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

IN THE MATTER OF PRESENTENCE REPORTS

GENERAL ORDER NO. 43

Pursuant to the authority granted by amended Rule 32(e)(3) (formerly Rule 32(b)(6)(A)), FRCrP, effective December 1, 1994, the court opts out of the probation officer's recommendation disclosure provision. Unless otherwise directed by order of a judge of this court, the probation officer's recommendation, if any, on the sentence shall remain confidential and shall not be disclosed.

DATED this 19th day of December, 1994, nunc pro tunc December 1, 1994.

/s/ Stephen M. Reasoner
STEPHEN M. REASONER, CHIEF JUDGE
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

IN THE MATTER OF THE AUTHORITY
OF BANKRUPTCY JUDGES TO CONDUCT
JURY TRIALS IN CERTAIN CIVIL PROCEEDINGS

GENERAL ORDER NO. 44

It appears to the Court that the "Bankruptcy Reform Act of 1994" (H.R. 5116) enacted on October 22, 1994, amends 28 U.S.C. § 157 by adding a new subsection (e) to empower a bankruptcy judge to conduct a jury trial, provided that the bankruptcy judge is specially designated to exercise such jurisdiction by the District Court and further provided all parties expressly consent.

Specifically, 28 U.S.C. § 157(e) provides as follows:

If the right to a jury trial applies in a proceeding that may be heard under this section by a bankruptcy judge, the bankruptcy judge may conduct the jury trial if specially designated to exercise such jurisdiction by the district court and with the express consent of all the parties.

Based on the foregoing, and if the right to a jury trial exists and applies in a civil proceeding that may be heard under 28 U.S.C. § 157 by a bankruptcy judge, this Court specially designates that the bankruptcy judges of this Judicial District may exercise such jurisdiction by the District Court and conduct jury trials with the express consent of all the parties.

DATED this 13th day of November, 1995.

BY THE COURT:

/s/ Stephen M. Reasoner
STEPHEN M. REASONER, CHIEF JUDGE
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

IN THE MATTER OF RULE F-1 OF
THE RULES OF THE UNITED STATES
DISTRICT COURTS FOR THE EASTERN
AND WESTERN DISTRICT OF ARKANSAS

GENERAL ORDER NO. 45

The reference of prisoner petitions covered by Rule 72.1 (VIII) (B) (formerly Rule F-1 (VIII) (B) (1)) of the Rules of the United States District Court for the Eastern and Western Districts of Arkansas shall include conditions cases filed by federal prisoners.

DATED this 17th day of December, 1996.

FOR THE COURT:

/s/ Stephen M. Reasoner
STEPHEN M. REASONER, CHIEF JUDGE
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

IN THE MATTER OF THE REFUND
OF CASH BONDS RECEIVED IN
CRIMINAL AND CIVIL CASES

GENERAL ORDER NO. 46

The Clerk is authorized, upon the final completion of each case, to refund to the appropriate party cash bail in criminal matters and cash bonds for costs in civil cases.

It is SO ORDERED this 10th day of March, 1997.

/s/ Stephen M. Reasoner
STEPHEN M. REASONER, CHIEF JUDGE
UNITED STATES DISTRICT COURT

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

IN THE MATTER OF INTERNET POLICY
FOR THE EASTERN DISTRICT OF ARKANSAS

GENERAL ORDER NO. 47

The following shall be the Internet policy of this Court:

1. **PURPOSE.** The purpose of this bulletin is to provide guidance for “acceptable use” of the Internet by Court employees.
2. **SCOPE.** This bulletin applies to all Court employees who use the Internet in the performance of their jobs.
3. **RESPONSIBILITY.** With the increased use of Internet services throughout the Judiciary, it is important that these tools are used properly and in the best interests of the government. Since no two employees will use the Internet in exactly the same way, each user will have to exercise individual responsibility and judgment as to appropriate use within the broad guideline of “official business.” Judicial Officers and Unit Executives are responsible for determining which of their staff require Internet access to carry out their jobs; providing required computer systems, software, and security devices; and, training on the proper use of the Internet. Copies of this Bulletin should be provided to each staff member who either has or requests Internet access.
4. **WHAT USERS SHOULD KNOW ABOUT INTERNET AND INTERNET E-MAIL.**
The Internet is an informal collection of government, military, commercial, and educational computer networks. It is essential that users understand some of the limitations of the Internet and the Internet e-mail system including security and delivery of an e-mail message.

The Internet is an **unsecured** network. As such, information and e-mail on the Internet can be read, broadcasted, or published without the knowledge or consent of the author. Users should be aware that cc:Mail is converted to e-mail and may be sent via the Internet. Consequently, cc:Mail should be treated with the same precautions as e-mail. Most sites maintain records of all users or entities accessing their resources. These records may be open to inspection and publication without the user's knowledge or consent. If the activity of the user is other than official business, the publication of that activity could prove to be an embarrassment for the Court and the entire federal Judiciary.

Internet e-mail traffic is subject to inspection by a variety of persons and mechanisms, authorized and otherwise. Authorized personnel on any node between the origin and destination of a message may have to inspect message contents in order to dispatch stalled deliveries or resolve other failures. Users should not expect the messages they send or receive via the Internet to be private. Delivery and delivery times are not guaranteed due to unpredictable intermediary system and network outages, slowdowns, and polling intervals, etc. Consequently, users should not rely on Internet e-mail for time-sensitive communications or guaranteed delivery. Some messages may not be delivered although the message was correctly addressed. Receipt or non-receipt can only be confirmed through other positive means, not by inference or assumption. **Note:** the cc:Mail "Receipt Requested" feature may not be honored by systems on the Internet. Users should not rely on this feature for Internet e-mail.

Delivery and response times on the Internet, as well as the DCN, are determined by traffic and congestion on the network. For example, sending large files such as digital images to a large number of recipients will delay other traffic and may overload the system causing failure. Users are encouraged to use discretion when forwarding large e-mail messages to group addresses or

distribution lists. Congestion on the network can be caused by the propagation of “chain letters” and “broadcasting” of lengthy messages to lists or individuals. These uses also place a burden on the shared data storage device of the e-mail post office.

Internet e-mail access grants users the ability to subscribe to a variety of e-mail news groups, list servers, and other sources of information. These services are a potentially valuable information tool for some e-mail users; but again, the potential for network congestion is high. Users should be cautioned on the widespread use of mailing lists and list servers. In general, low-volume business related lists will not be a problem.

Users should focus on one subject per message and always include a pertinent subject title for the message to enable the reader to locate the message quickly. Remember the basic elements of effective writing: clarity, brevity, and courtesy. Users should be reminded they bear sole responsibility for material they send, access, or display on the Internet or in Internet e-mail.

5. **PROCEDURES.** The following procedures should be followed to ensure that employees use the Internet safely and productively, and that the Internet is not used in any way that could compromise the interests of the judiciary. These guidelines apply to all Internet services, including but not limited to: electronic mail (e-mail), Web browsers, Telnet, and File Transfer Protocol (FTP).

Access to Internet: Employees with a valid need to use the Internet should secure written approval of their Judicial Officer or Unit Executive by including their name, purpose of Internet access, estimated hours per month use, and that they understand that access is provided for official government purposes only. The Judicial Officer or Unit Executive should forward their approval to the Systems Department for connection. Government-provided Internet access is subject to being withdrawn at the discretion of the Judicial Officer or Unit Executive.

Monitoring: The Systems Department will not monitor the Internet activity log for compliance with acceptable use policies unless requested by a Judicial Officer or requested by a Unit Executive and approved by the Chief Judge of the district.

Responsible Internet Policies: The Internet allows employees to have electronic discussions of official government matters with other federal employees, private sector employees, and the worldwide general public. The Internet audience is virtually unlimited, and because one never knows who will read posted messages, care should be taken with what is said and how it is said. Connection to the Internet offers employees significant benefits in terms of increased access to information resources. However, connection to the Internet is a privilege and not a right.

When accessing the Internet, employees must adhere to the same code of ethics that governs all other aspects of judiciary employee activity. Internet activity should not interfere with performance of official duties. Staff are encouraged to use the Internet to accomplish job responsibilities, to become more knowledgeable about Internet capabilities, and further the Court's mission.

Each Judicial Officer or Unit Executive may permit designated staff to use the Internet on personal time. Such use provides staff with an opportunity to practice Internet skills and explore Internet resources. Our Court benefits by permitting staff to use their own time to develop these skills. In the current environment of shrinking budgets and the need for staff to take on new and greater responsibilities, and develop new areas of expertise, use of the Internet can be an important avenue for training and development of skills. Since the Court pays one flat fee for all Internet access, there is no additional cost for personal use of the Internet.

This policy allowing staff members to use the Internet on personal time is similar to our existing policy of allowing staff to use library collections and other resources on personal time and

has similar benefits. Just as a staff member who takes books home, visits the library, and participates in court events learns about the institution and acquires skills to become a better employee, a staff member who makes use of the Internet on personal time enhances his or her knowledge and skills of electronic information resources and gains skills in information technology. This use also enhances job-related knowledge and skills and provides cost-effective self-training opportunities. By encouraging employees to explore the Internet, the Court builds its pool of Internet-literate staff who can then guide and encourage those around them. With this in mind, staff is encouraged to use official time to attend meetings and programs related to the Internet and to serve as trainers for other staff who may wish to use the Internet.

Employees may not use the Internet for prohibited activities. Employees are expressly forbidden from creating unauthorized satellite home pages or other similar works and are cautioned to use great care that no statements are made which may appear to express agency policy or position which are not authorized. Prohibited activities are:

1. making unauthorized statements regarding agency policies or practices;
2. transmitting confidential information (such as that relating to ongoing investigations, procurements, or litigation);
3. making unauthorized commitments or promises that might be perceived as binding the government;
4. using subscription accounts or commercial services that are not expressly authorized;
5. posting an unauthorized home page or similar web site;
6. engaging in chat room discussions through e-mail, etc.;

7. sending or displaying messages or pictures that are of an obscene or sexually explicit nature as defined in Miller v. California 413 U.S. 15, 23 (1972) or Ark. Code Ann. (1987) §5-68-302(4);
8. using the network connection for commercial purposes or private gain;
9. using the network for illegal activities;
10. unauthorized personal use.
11. Improper use or distribution of information is also prohibited. This includes copyright violations such as software piracy (Copyright law protects software authors and publishers just as patent law protects inventors. The Court may incur a legal liability for unauthorized copying of files or software even if the copy is used for official business).

Employees should show respect for intellectual property and creativity by giving appropriate credit when files or portions of files are used while carrying out official duties. Employees should be mindful of procurement sensitive information and should not transmit it over the Internet.

Judicial Officers, of course, occupy a special position in our system, which position necessitates that they enjoy the utmost autonomy. This means, by necessity, their Internet access must be protected by complete confidentiality, as with their research on Westlaw and Lexis. In order to protect the confidentiality of Internet research by Judicial Officers, no monitoring of judges' Internet activity shall be attempted by any court employee. Any violation of their rule shall result in immediate termination from employment.

It is SO ORDERED this 28th day of May, 1997.

/s/ Stephen M. Reasoner
STEPHEN M. REASONER, CHIEF JUDGE
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS

IN RE: APPOINTMENT OF THE
FEDERAL PUBLIC DEFENDER
IN ANCILLARY MATTERS

GENERAL ORDER NO. 49

The following procedures are hereby established to authorize the appointment of the Federal Public Defender in ancillary matters pursuant to the Amended Criminal Justice Act Plan of the United States District Court for the Eastern District of Arkansas.

The Federal Public Defender Office is hereby appointed on ancillary matters appropriate to the proceedings in which the Federal Public Defender was previously appointed pursuant to an Order of this Court—provided it is apparent to the Federal Public Defender that no change in the client's financial condition has occurred which would render the person financially ineligible for appointment of counsel under the Criminal Justice Act and provided that the matter at hand will require substantial work by counsel and is significant enough to warrant appointment of counsel. If at any time during the representation in the ancillary matter, the Federal Public Defender obtains information that a client is financially able to make payment, in whole or in part, for legal or other services in connection with the representation, and the course of the information is not protected as a privileged communication, the Federal Public Defender shall advise the Court.

This General Order shall serve to authorize the Federal Public Defender to provide assistance of counsel to financially eligible persons in ancillary matters even though the initial appointment of the Federal Public Defender has otherwise terminated due to the conclusion of the matter for which the Federal Public Defender was originally appointed. Prior to the appearance

in this court or any new matter filed against a Defendant, the Federal Public Defender shall present to the Court a financial affidavit completed by the client to be represented.

DATED this 10th day of March, 1999.

/s/ Susan Webber Wright
SUSAN WEBBER WRIGHT, CHIEF JUDGE
UNITED STATES DISTRICT COURT

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS**

IN RE ALTERNATIVE DISPUTE RESOLUTION

GENERAL ORDER NO. 50

Purpose. In accordance with the Alternative Dispute Resolution Act of 1998, the United States District Court for the Eastern District of Arkansas has established an alternative Dispute Resolution (ADR) program. This program is designed to afford litigants an opportunity to reach a satisfactory resolution of disputes before litigation.

The ADR Administrator. The Clerk of Court is appointed “ADR Administrator.” While attached administratively to the Clerk’s office, the ADR Administrator reports directly to the Chief Judge of this Court. The ADR Administrator must:

- (1) Prepare any applications for funding for the ADR program by the United States Government and other entities, and prepare reports required by the United States Government or other parties on the use of funds in the operation and evaluation of the ADR program;
- (2) Develop and maintain such forms, records, docket controls, and data as may be necessary to administer and evaluate the program, and,
- (3) Periodically evaluate the ADR program and submit the resulting evaluation to the Court, along with any recommendations for changes, if needed.

The ADR Program. On the date of the enactment of the Alternate Dispute Resolution Act of 1998, the Court had an ADR program, the provision of settlement conferences conducted by a United States Magistrate Judge who has been trained to serve as a neutral in alternative dispute

resolution processes. Upon examination and review, the existing program is adopted as the ADR process of the court.

- (1) Exempted cases. Unless otherwise ordered by the court, the following cases are excluded from the program:
 - (a) Appeals from rulings of administrative agencies;
 - (b) Social Security Cases;
 - (c) Bankruptcy appeals;
 - (d) Habeas corpus and extraordinary writs; and
 - (e) Prisoner civil rights cases.

Consideration of the Alternative Dispute Resolution process. Litigants in all civil cases, except as exempted above, shall consider the use of the Alternative Dispute Resolution process provided by this Court at an appropriate stage in the litigation.

Procedure:

- (1) This district's United States Magistrate Judges are authorized to conduct settlement conferences in each civil case other than those cases exempted above. Such settlement conferences may be conducted if all parties consent to the same, or if all parties so request and the district judge assigned to the case believes that such would be useful.
- (2) All settlement conferences will be conducted at such times and under the procedures as may be established by the respective United States Magistrate Judges.
- (3) The rules governing disqualification, as set forth in 28 U.S.C. 455 and Canon 3 of

Code of Conduct for the United States Judges, will apply to a Magistrate Judge to whom a case is referred.

Confidentially. Communications of litigants, attorneys and magistrate judges during the ADR process are confidential, and disclosure of these communications is prohibited. However, the magistrate judge shall be permitted to inform the presiding judge and/or Clerk's office of the outcome of the process.

Other ADR Processes. The litigants must not be prohibited or discouraged from utilizing other ADR processes to assist in the resolution of issues in controversy, such as mediation, minitrial, and arbitration. However, these procedures are not available in this Court's ADR program.

IT IS SO ORDERED this 31ST day of July, 2000.

/s/ Susan Webber Wright
SUSAN WEBBER WRIGHT, CHIEF JUDGE
UNITED STATES DISTRICT COURT

Amended August 16, 2012

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS

IN THE MATTER OF THE IMPLEMENTATION
OF THE AMENDMENTS TO THE FEDERAL
RULES OF CIVIL PROCEDURES EFFECTIVE
DECEMBER 1, 2000

GENERAL ORDER NO. 51

The Court has determined that the amendments to the Federal Rules of Civil Procedure which are effective December 1, 2000, should be applied to all cases in which a defendant has not made an appearance as of December 1, 2000.

This Order supersedes General Order 42 entered February 22, 1994.

IT IS SO ORDERED this 30th day of November, 2000.

/s/ Susan Webber Wright
SUSAN WEBBER WRIGHT, CHIEF JUDGE
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS

IN THE MATTER OF THE IMPLEMENTATION
OF CASE MANAGEMENT/ELECTRONIC CASE FILING (CM/ECF)

AMENDED GENERAL ORDER 53

The CM/ECF Administrative Policies and Procedures Manuals for Civil and Criminal Filings have been approved by the Court. It is recognized that these Manuals may require occasional revisions, which will be made as necessary with the approval of the Court.

IT IS SO ORDERED this 1st day of December, 2018.

A handwritten signature in black ink, reading "Brian S. Miller", is positioned above a horizontal line.

BRIAN S. MILLER, CHIEF JUDGE
UNITED STATES DISTRICT COURT

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS**

**IN THE MATTER OF ELECTRONIC DEVICES
IN THE COURTHOUSE**

AMENDED GENERAL ORDER NO. 54

IT IS HEREBY ORDERED:

1. Electronic devices are prohibited in courthouses beyond the security checkpoint except as allowed by this General Order and Local Rule 83.2.
2. The prohibition in paragraph 1 does not apply to the possession of electronic devices by employees and visiting employees of courthouse tenant agencies and contractors approved by the General Services Administration.
3. Members of the public may bring into a courthouse cell phones, Blackberries and PDA type devices that do not have the capacity to take photographs or to make films. However, each cell phone, Blackberry or PDA type device must be turned off and put away before a person carrying it enters into a courtroom and must remain off and remain put away while in the courtroom.
4. Lawyers and staff employed by the Department of Justice or the Federal Public Defender's Office may bring cell phones, laptop computers, Blackberries and PDA type devices into courthouses whether or not those devices have the capacity to take photographs or make films.
5. Upon request, the Court may issue an order authorizing other lawyers, their staff or support personnel, and law enforcement officers attending a proceeding to bring cell phones, laptop computers, Blackberries, and PDA type devices into a courthouse

while attending the proceeding whether or not those devices have the capacity to take photographs or films. An order authorizing a lawyer, his/her staff or support personnel, or law enforcement officer to bring an electronic device into a courthouse will identify the person so authorized by name and specify the date or dates during which permission is granted. That person must then present the order and a photo I.D. to Court Security Personnel at the security checkpoint. A person who is allowed an electronic device into a courthouse pursuant to this paragraph, and has subsequent court hearings within the courthouse on the same day, will be allowed to retain the electronic device during his or her time at the courthouse.

6. Active attorneys licensed to practice in Arkansas and the Eastern District of Arkansas may request issuance of a “Court Technology Permit” by the Clerk of Court. The permit card will be effective for two years. The Clerk will issue the permit card to those attorneys who make written request when paying their biennial assessment. The permit card will contain the attorney’s name, firm, city, state and Arkansas bar number. If an attorney presents a permit card and a photo identification upon entering the courthouse, he or she will be allowed to bring cell phones, lap tops, Blackberries and PDA type devices into the courthouse whether or not those devices have the capacity to take photos or make film. In the event an attorney’s permit is lost, the attorney should notify the Clerk’s office as soon as possible.

7. A person who brings an electronic device into a courthouse pursuant to paragraphs 4, 5, and 6 above will be subject to the following rules:

- (a) that person may not record, photograph, or film anyone or anything inside the courthouse;
- (b) cell phones, Blackberries or PDA type devices must be turned off and put away when in courtrooms; and

- (c) wireless internet components of electronic devices must be deactivated when in district courtrooms.

The United States Marshals Service is hereby directed to enforce this General Order. A violation of paragraph 7(a), (b), or (c) may result in seizure of the electronic device, withdrawal of the privilege to bring an electronic device into the courthouse, or other sanctions. A violation of the prohibition on recording, photographing, or filming anyone or anything inside the courthouse may be punished as contempt of court.

8. Before persons with electronic devices are granted entry into the courthouse, all devices must be examined by the United States Marshals Service or Court Security Personnel. This examination includes, but is not limited to placing the device through electronic screening machines and requiring the person possessing the device to turn the power to the device off and on.

9. The United States Marshals Service may further restrict electronic devices from entering the building should a threat assessment dictate.

IT IS SO ORDERED this 16th of April, 2009.



J. LEON HOLMES, CHIEF JUDGE

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

IN THE MATTER OF IMPLEMENTATION
OF LOCAL RULE 67.1 ON DEPOSIT AND
INVESTMENT OF REGISTRY FUNDS

GENERAL ORDER NO. 55

The Court, has determined that it is necessary to adopt local procedures to ensure uniformity in the deposit and investment of funds in the Court's Registry.

IT IS ORDERED that the following shall govern the receipt, deposit, and investment of registry funds:

I. Receipt of Funds.

- A. No money shall be sent to the Court or its officers for deposit in the Court's registry without a court order signed by the presiding judge in the case or proceeding.
- B. The party making the deposit or transferring funds to the Court's registry shall serve the order permitting the deposit or transfer on the Clerk of Court.
- C. Unless provided for elsewhere in this Order, all monies ordered to be paid to the Court or received by its officers in any case pending or adjudicated shall be deposited with the Treasurer of the United States in the name and to the credit of this Court pursuant to 28 U.S.C. § 2041 through depositories designated by the Treasury to accept such deposit on its behalf.

II. Investment of Registry Funds.

- A. Where, by order of the Court, funds on deposit with the Court are to be placed in some form of interest-bearing account or invested in a court-approved interest-bearing instrument in accordance with Rule 67 of the Federal Rules of Civil Procedure, the Court Registry Investment System ("CRIS"), administered by the

Administrative Office of the United States Courts under 28 U.S.C. § 2045, shall be the only investment mechanism authorized.

- B. Interpleader funds deposited under 28 U.S.C. § 1335 meet the IRS definition of a “Disputed Ownership Fund” (DOF), a taxable entity that requires tax administration. Unless otherwise ordered by the court, interpleader funds shall be deposited in the DOF established within the CRIS and administered by the Administrative Office of the United States Courts, which shall be responsible for meeting all DOF tax administration requirements.
- C. The Director of Administrative Office of the United States Courts is designated as custodian for CRIS. The Director or the Director's designee shall perform the duties of custodian. Funds held in the CRIS remain subject to the control and jurisdiction of the Court.
- D. Money from each case deposited in the CRIS shall be “pooled” together with those on deposit with Treasury to the credit of other courts in the CRIS and used to purchase Government Account Series securities through the Bureau of Public Debt, which will be held at Treasury, in an account in the name and to the credit of the Director of Administrative Office of the United States Courts. The pooled funds will be invested in accordance with the principles of the CRIS Investment Policy as approved by the Registry Monitoring Group.
- E. An account for each case will be established in the CRIS Liquidity Fund titled in the name of the case giving rise to the investment in the fund. Income generated from fund investments will be distributed to each case based on the ratio each account's principal and earnings has to the aggregate principal and income total in the fund after the CRIS fee has been applied. Reports showing the interest earned and the principal amounts contributed in each case will be prepared and distributed

to each court participating in the CRIS and made available to litigants and/or their counsel.

- F. For each interpleader case, an account shall be established in the CRIS Disputed Ownership Fund, titled in the name of the case giving rise to the deposit invested in the fund. Income generated from the fund investments will be distributed to each case after the DOF fee has been applied and tax withholdings have been deducted from the fund. Reports showing the interest earned and the principal amounts contributed in each case will be available through the FedInvest/CMS application for each court participating in the CRIS and made available to litigants and/or their counsel. On appointment of an administrator authorized to incur expenses on behalf of the DOF in a case, the case DOF funds should be transferred to another investment account as directed by court order.

III. Fees and Taxes

- A. The custodian is authorized and directed by this Order to deduct the investment services fee CRIS fee of an annualized 10 basis points on assets on deposit for all CRIS funds, excluding the case funds held in the DOF, for the management of investments in the CRIS. According to the Court's Miscellaneous Fee Schedule, the CRIS fee is assessed from interest earnings to the pool before a pro rata distribution of earnings is made to court cases.
- B. The custodian is authorized and directed by this Order to deduct the DOF fee of an annualized 20 basis points on assets on deposit in the DOF for management of investments and tax administration. According to the Court's Miscellaneous Fee Schedule, the DOF fee is assessed from interest earnings to the pool before a pro rata distribution of earnings is made to court cases. The custodian is further

authorized and directed by this Order to withhold and pay federal taxes due on behalf of the DOF.

This Order supersedes and abrogates all prior orders of this Court regarding the deposit and investment of registry funds.

It is SO ORDERED this 20th day of April, 2017.

/s/ Brian S. Miller

BRIAN S. MILLER, CHIEF JUDGE
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

IN THE MATTER OF
ATTORNEY ADMISSIONS
AND PRO HAC VICE FEES

GENERAL ORDER NO. 56

Effective September 1, 2013, the Eastern and Western District of Arkansas will suspend the \$10 Biennial Assessment until further notice because of the adoption of new fee schedules for Attorney Admissions and Pro Hac Vice Applications. The funding associated with these new fees will be collected and deposited to the Library Fund. Fees deposited to the Library Fund will be utilized in a manner consistent with Local Rule 83.6.

It is SO ORDERED this 20th day of August, 2013.

/s/ Brian S. Miller
BRIAN S. MILLER, CHIEF JUDGE
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

AUG 15 2019

JAMES W. McCORMACK, CLERK
By: *S. Bie* DFP CLERK

IN RE: FINANCIAL AFFIDAVITS
PURSUANT TO THE PROVISIONS OF
THE CRIMINAL JUSTICE ACT

GENERAL ORDER NO. 57

In order to provide the assistance of counsel to criminal defendants who have indicated that they cannot afford to pay a lawyer, and to obtain complete and reliable financial information, the Court directs the Federal Public Defender or court-appointed CJA counsel to assist all potentially eligible defendants with the preparation of a financial affidavit (Form CJA 23). The completed affidavit should be filed with the Court before the defendant's initial appearance. If that is impracticable, the completed affidavit must be filed no later than ten days after the Court provisionally appoints counsel.

SO ORDERED.

D. P. Marshall Jr.

D. P. MARSHALL JR.
CHIEF JUDGE

15 August 2019

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS

SEP 26 2019

JAMES W. McCORMACK, CLERK
By: *dB* DEP CLERK

IN RE: INTERSTATE AGREEMENT
ON DETAINERS ACT WAIVERS

GENERAL ORDER NO. 58

When a federal detainer is, or is expected to be, filed for a defendant serving a sentence in a non-federal jurisdiction for unrelated crimes, that defendant has the right to remain in federal custody until final disposition of the federal charges. Interstate Agreement on Detainers Act (IADA), 18 U.S.C. app. § 2 Art. IV(e). Defendants may waive their rights under the IADA, however, by filing a valid Notice of Waiver of Rights under the Interstate Agreement on Detainers Act.

If a defendant files a Notice of Waiver that is signed by the defendant, defense counsel, and a lawyer from the U.S. Attorney's office, the U.S. Marshal is authorized to return the defendant to the jurisdiction with original custody without further order of the court. After returning a defendant to state or local custody, the U.S. Marshal must file a Detainer with that custodial authority, which will constitute a hold on the defendant.

SO ORDERED.

W P Marshall Jr.
D. P. MARSHALL JR.
CHIEF JUDGE

26 September 2019

JAN 16 2020

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS

JAMES W. McCORMACK, CLERK
By: J. Adams
DEP CLERK

IN RE: APPOINTMENT OF COUNSEL FOR A
DEFENDANT UNDER SUPERVISION WHO
IS INDICTED ON A NEW FEDERAL CHARGE

GENERAL ORDER NO. 59

This General Order addresses issues that arise when a defendant under supervision in a federal case is indicted on a new federal charge. If appointed counsel is needed, the same lawyer will be appointed to represent the defendant in the revocation proceedings and on the new indictment. To promote judicial economy, the same district judge will preside over all these related cases. The new case will be assigned to the district judge presiding in the older or oldest case, if practicable. Otherwise, the Clerk will randomly assign the new case and reassign the older case or cases to the selected judge. The defendant's initial appearance on the revocation petition is referred to the magistrate judge who presides over the defendant's initial appearance on the new indictment.

SO ORDERED.

D.P. Marshall Jr.
D.P. MARSHALL JR.
CHIEF JUDGE

16 January 2020

DEC - 1 2020

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS

JAMES W. MCCORMACK, CLERK
[Signature]
DEP CLERK

IN RE: CENTRAL VIOLATIONS BUREAU MATTERS

GENERAL ORDER NO. 60

The Court vacates General Order No. 52. The Court has established new procedures for handling Central Violations Bureau matters through the CM/ECF System. The citation or violation notice now serves as the charging document that initiates a CVB matter. And the Court will proceed pursuant to Federal Rule of Criminal Procedure 58 in all these matters.

So Ordered.

D.P. Marshall Jr.

D.P. Marshall Jr.
Chief Judge

1 December 2020
