

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

SEP 26 2019

JAMES W. McCORMACK, CLERK
By: *JB* 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