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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * * * *

IN THE MATTER OF:)
)
PRESERVING CONFIDENTIALITY OF) AMENDED SPECIAL ORDER NO. 31
PRESENTENCE REPORTS AND RECORDS.)
_____)

Presentence reports are confidential documents and the property of the United States District Court.

These reports will be provided to attorneys of record pursuant to Fed.R.Crim.P. 32(c)(3); however, they are not to be duplicated in any manner or disclosed to or discussed with anyone other than the defendant; counsel for said defendant; the investigator, if any; the appropriate attorney for the Government; and the United States Probation Officer.

On forms titled "Acknowledgement Regarding Presentence Report" to be provided by the United States Probation Office, the defendant and defendant's counsel, and counsel for the Government, shall acknowledge they have read the presentence report and shall indicate whether there are any factual inaccuracies in the report. Said form must be returned to the United States Probation Office not later than five (5) days prior to the date set for the imposition of sentence.

1 In the event the defendant or counsel allege any factual
2 inaccuracies in the presentence report, except in petty offense
3 cases, counsel shall submit with the "Acknowledgement" form an
4 original written statement requesting correction of the report
5 to the United States Probation Office not later than five (5)
6 days prior to the date set for the imposition of sentence. A
7 copy of the "Acknowledgement" form and the written statement
8 shall also be served upon opposing counsel. The statement shall
9 identify the specific matters alleged to be factually inaccurate,
10 shall state the relevance of the contested matters to the
11 imposition of sentence, and shall set forth the specific remedies
12 sought. Neither the "Acknowledgement" form nor the written
13 statement shall be filed with the Clerk of the Court or submitted
14 to the judicial officer who will impose sentence. In petty offense
15 cases, counsel will be permitted to make oral objections to any
16 alleged factual inaccuracies in the presentence report at the
17 time of the imposition of sentence.

18 The Court directs that counsel, to the extent possible,
19 attempt to resolve with the United States Probation Office any
20 contested matters prior to the imposition of sentence.

21 In the event significant conflicts remain unresolved, at
22 least three (3) days prior to the date set for the imposition
23 of sentence, counsel shall submit original written objections
24 to the judicial officer who will impose sentence. A copy of
25 said objections shall be served upon the United States Probation
26 Office and upon opposing counsel. These written objections shall

1 not be filed with the Clerk of the Court.

2 Presentence reports shall be returned to the Probation Officer
3 in open court promptly following the imposition of sentence.

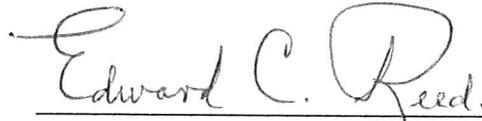
4 When ordered by the Court or otherwise required by 18 U.S.C.
5 4205(c) and 4208(b)(2), the United States Probation Office shall
6 provide presentence reports and other probation records to the
7 United States Parole Commission, Bureau of Prisons and other
8 official agencies for the limited purpose of serving their
9 statutory functions. All reports and records so provided shall
10 remain the confidential records of this Court.

11 Failure to comply with the provisions of this Amended Special
12 Order shall be deemed an act of contempt of Court and shall be
13 punished accordingly.

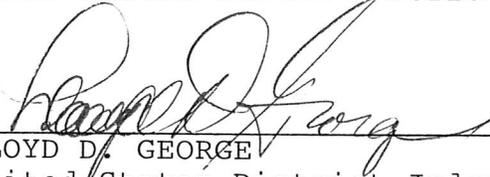
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1 This Amended Special Order shall become effective on
2 April 1 _____, 1988 and shall not apply to
3 proceedings pursuant to the Sentencing Reform Act of 1984, 18
4 U.S.C. 3551, et seq., which shall be governed by Temporary Special
5 Order No. 66.

6 Dated this 1st day of April, 1988.

7 

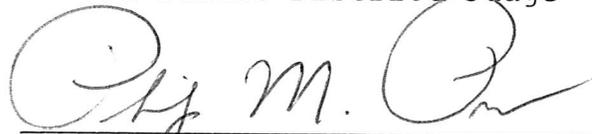
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9 EDWARD C. REED, JR.
Chief United States District Judge

10 

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12 LLOYD D. GEORGE
United States District Judge

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14
15 HOWARD D. MCKIBBEN
United States District Judge

16 

17
18 PHILIP M. PRO
United States District Judge

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 * * * * *

4 UNITED STATES OF AMERICA,)
5 vs.) CRIMINAL NO. _____
6)
7)

8 ACKNOWLEDGEMENT REGARDING PRESENTENCE REPORT

9 Defendant and defendant's counsel or counsel for the
10 government having been provided with a copy of the presentence
11 report hereby acknowledge the following:
12

13 Initial appropriate boxes:

- 14 I have read the presentence report.
- 15 There are no factual inaccuracies.
- 16 There are factual inaccuracies and a written statement
- 17 is submitted herewith.

18 Dated: _____
19 Defendant

- 20 I have read the presentence report.
- 21 There are no factual inaccuracies.
- 22 There are factual inaccuracies and a written statement
- 23 is submitted herewith.

24 Dated: _____
Counsel (Defense or Government)

25 NOTICE: Pursuant to Amended Special Order No. 31, separate forms
26 must be executed by defendant and defendant's counsel and counsel
for the government and returned to the United States Probation
Office not later than five (5) days prior to the date set for
the imposition of sentence.