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U.S. DISTRICT COURT
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DISTRICT OF WYOMING
CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

**AMENDED ORDER ESTABLISHING COLLATERAL FORFEITURE/APPEARANCE
BOND FEE SCHEDULE FOR THE WIND RIVER INDIAN RESERVATION**

It appearing to the Court that it is necessary to establish a collateral forfeiture/appearance bond fee schedule for the Wind River Indian Reservation, and being fully advised in the premises, it is

ORDERED that the following list comprises those statutes and regulations that shall be enforced by the Bureau of Indian Affairs on the Wind River Indian Reservation. Included herein is the applicable collateral forfeiture/appearance bond fee schedule for each offense listed, which shall be understood that if not governed by this schedule, the decision whether to (1) take an accused violator into custody; (2) allow him/her to forfeit collateral; or (3) to merely issue a warning shall be within the sound discretion of the law enforcement personnel. In addition, should a violator appear before a United States Magistrate Judge, said Magistrate Judge may impose a fine or imprisonment or both, up to the statutory maximum without regard to this schedule.

Three types of offenses are listed throughout this schedule and the procedures which follow shall govern each:

- (1) Mandatory Appearance Where Bail is Required:

Some of the offenses contained herein have been deemed by the United States District

Court to require that an accused violator be detained and brought before an available United States Magistrate Judge. In the event a Magistrate Judge is not immediately available, and in the interest of preventing undue detention, an amount of bail has been established, which the accused violator may tender to the person authorized to accept bail for the Magistrate Judge. This bail is intended to insure the appearance of the violator at the time and place noted on the violation notice and is not forfeitable. If the violator is unable to make the required bail, he/she shall be placed in proper custody, and he/she shall remain in such custody until he/she makes bail or is released by the Magistrate Judge.

Throughout the schedule these offenses are denoted by a required appearance and bail amount has been set. In each case where so indicated, the above procedure shall be followed.

(2) Mandatory Appearance Where No Bail Is Required:

In all cases where a mandatory appearance is required but no bail amount has been set, the violator may be allowed to go free, but he/she must be advised to appear on the date indicated on the violation notice, and under no circumstances may he/she forfeit collateral.


(3) Offenses Where Collateral May Be Forfeited:

In those instances where a collateral amount has been set and no mandatory appearance is required, the accused may be allowed to plead guilty without an appearance before the Magistrate Judge and forfeit the collateral amount applicable to the offense charged. The law enforcement officer under any circumstances may require the violator to deposit the collateral in the United States Mail in the presence of said officer.

IT IS FURTHER ORDERED that in the event an offense occurs to which no reference has been made in this Schedule, the law enforcement agency involved shall immediately contact the United States Attorney's Office in Cheyenne, Wyoming, at (307) 772-2124 or the United States Attorney's Office in Casper, Wyoming, at (307) 261-5434, for advice and consultation.

IT IS FURTHER ORDERED that Local Rule 58.4, entitled "Petty Offense Forfeiture of Collateral in Lieu of Appearance," of the United States District Court for the District of Wyoming shall be in effect as if fully set forth herein.

DATED this 3rd day of July, 2000.


CHIEF JUDGE
UNITED STATES DISTRICT COURT

SECTION X -- WIND RIVER INDIAN RESERVATION

Violation occurring within lands administered by the Bureau of Indian Affairs charged under cited sections of Title 25, Code of Federal Regulations.

<u>PART II</u>	<u>LAW AND ORDER ON INDIAN RESERVATIONS</u>	<u>COLLATERAL FEE</u>
11.38	Assault	Mandatory Appearance or \$200 bail
11.39	Assault and battery	Mandatory Appearance or \$200 bail
11.40	Carrying concealed weapon	Mandatory Appearance or \$200 bail
11.41	Abduction	\$100.00
11.42	Theft	Mandatory Appearance or \$100.00 bail
11.43	Embezzlement	\$100.00
11.44	Fraud	\$100.00
11.45	Forgery	\$100.00
11.46	Misbranding	\$50.00
11.47	Receiving stolen property	\$100.00
11.48	Extortion	\$100.00
11.49	Disorderly conduct	\$50.00

11.50	Reckless driving	Mandatory Appearance or \$150.00 bail
11.51	Malicious	\$150.00
11.52	Trespass	\$50.00
11.53	Injury to public property	\$50.00
11.54	Maintaining public nuisance	\$50.00
11.55	Possess, sell trade, transport, or manufacture any beer, ale, wine, whiskey, or any article whatsoever which produces alcoholic intoxication	\$100.00
	Driving while under the influence	Mandatory Appearance or \$350.00
11.56	Cruelty to Animals	\$50.00
11.57	Game Violations	\$50.00
11.58	Gambling	\$100.00
11.59	Adultery	\$100.00
11.61	Illicit cohabitation	\$100.00
11.62	Prostitution	\$100.00
11.63	Giving venereal disease to another	\$100.00
11.64	Failure to support dependent person	\$100.00
11.65	Failure to send children to school	\$50.00
11.66	Contributing to the delinquency of a minor	\$250.00

11.67	Bribery	\$100.00
11.68	Perjury	\$100.00
11.69	Make or cause to be made the unlawful arrest, detention or imprisonment or another (false arrest)	\$100.00
11.70	Resisting Lawful Arrest	\$250.00
11.71	Interference with lawful function of officer (refusing to aid officer)	Mandatory Appearance or \$150.00 bail
11.72	Escape	\$100.00
11.73	Disobedience to Lawful Orders of Court	\$100.00
11.74	Violation of an Approved Tribal Ordinance	\$50.00