

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

APR - 4 2008

Stephan Harris, Clerk
Casper

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF WYOMING

**ORDER TO ASSIMILATE STATE LAW BY AUTHORITY OF
18 U.S.C. § 13 REGARDING WARREN AIR FORCE BASE**

It appearing to the Court that it is necessary to include a fine schedule for certain non-traffic offenses for Warren Air Force Base, and being fully advised in the premises, it is

ORDERED that the attached fine schedule comprises some non-traffic state statutes that shall be enforced by Warren Air Force Base. Included on the fine schedule 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.

DATED this 4th day of April, 2008.



CHIEF JUDGE
UNITED STATES DISTRICT COURT

FINE SCHEDULE

WARREN AIR FORCE BASE Regarding Non-Traffic Matters	
STATUTE	Fine Schedule
Underage Drinking (Assimilating State Law by authority of 18 U.S.C. § 13)	<i>See</i> W.S. 12-6-101(b) Mandatory Appearance <i>or</i> \$110.00
18 U.S.C. § 1382 Trespass	Mandatory Appearance <i>or</i> \$110.00
18 U.S.C. § 113 Assault	Simple Assault – \$150 Striking, beating, or wounding – Mandatory Appearance
Breach of Peace/Disorderly Conduct (Assimilating State Law by authority of 18 U.S.C. § 13)	<i>See</i> W.S. 6-6-101 et seq. Mandatory Appearance <i>or</i> \$150.00
18 U.S.C. § 641 Theft (under \$1,000)	Mandatory Appearance