

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

JAN 13 2014

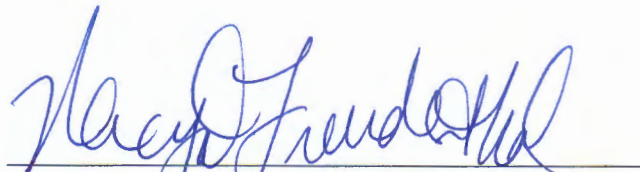
Stephan Harris, Clerk
Cheyenne

ORDER ESTABLISHING COLLATERAL FORFEITURE SCHEDULE
FOR INDIAN COUNTRY IN THE DISTRICT OF WYOMING

Pursuant to Federal Rules of Criminal Procedure, Rule 58 and Local Criminal Rule 58.2 of the United States District Court for the District of Wyoming, the Court hereby designates the misdemeanor and petty offenses for which collateral may be posted and forfeited in lieu of appearance by the person charged and establishes the amount of such collateral that may be posted for offenses committed in the District of Wyoming that occur on Indian Country as defined by 18 U.S.C. § 1151(a), (b) and (c). See Schedule I attached hereto.

IT IS SO ORDERED this 13 day of January, 2014.

THIS ORDER SHALL TAKE EFFECT IMMEDIATELY AND SUPERSEDE ALL PREVIOUS COLLATERAL FORFEITURE SCHEDULES FOR THE WIND RIVER INDIAN RESERVATION IN THE DISTRICT OF WYOMING.



NANCY D. FREUDENTHAL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
DISTRICT OF WYOMING

Offenses	Penalty	Mandatory Appearance or Forfeiture of Collateral Amount for Optional Appearance
Simple Assault (Indian victim age 16 or over) (18 U.S.C. §§1152 and 113(a)(5))	Penalty: \$5000 &/or 6 months	Mandatory Appearance
Reckless endangering (Indian victim) (18 U.S.C. §§1152 and 13; Wyo. Stat. §6-2-504)	Penalty: \$1000 &/or 1 year	Mandatory Appearance or 1 st offense:\$200 2 nd offense: \$400 3 rd offense: \$600
Arson (setting fire with criminal negligence to any woods, prairie or grounds without permission of the (Indian) owner or to anything on any woods, prairie or grounds which is the property of another (Indian), or allowing a fire to pass from the owner's woods, prairie or grounds to the injury or destruction of another (Indian)). (18 U.S.C. §§1152 and 13; Wyo. Stat. §6-3-105)	Penalty: \$750 &/or 6 months	Mandatory Appearance or 1 st offense:\$200 2 nd offense: \$400 3 rd offense: \$600
Leaving fire unattended on tribal land (18 U.S.C. §1856)	Penalty: \$5000 &/or 6 months	1 st offense:\$200 2 nd offense: \$400 3 rd offense: \$600
Willfully and knowingly hunting, trapping or fishing without lawful authority or permission on tribal land (18 U.S.C. §1165)	Penalty: \$5000 &/or 90 days	1 st offense:\$200 2 nd offense: \$400 3 rd offense: \$600
Property destruction (knowingly defaces, injures or destroys property of another (Indian) without the owner's consent where property is valued at less than \$1000) (18 U.S.C. §§1152 and 13; Wyo. Stat. §6-3-201)	Penalty: \$750 &/or 6 months	1 st offense:\$200 2 nd offense: \$475 3 rd offense: \$750
Unlawful cutting, injuring or destroying trees on tribal land (18 U.S.C. §1853)	Penalty: \$100,000 &/or 1 year	1 st offense:\$200 2 nd offense: \$400 3 rd offense: \$500

Offenses	Penalty	Mandatory Appearance or Forfeiture of Collateral Amount for Optional Appearance
Littering (placing, throwing, scattering or depositing garbage, debris, refuse or waste material, objects or substances, including abandoned or junked vehicles, upon the property of another (Indian)) (18 U.S.C. §§1152 and 13; Wyo. Stat. §6-3-204)	Penalty: \$750 &/or 6 months	\$150
Criminal entry (knowingly entering a building, occupied structure, vehicle or cargo portion of a truck or trailer, or a separately secured or occupied portion of those enclosures, owned by an Indian, without authority) (18 U.S.C. §§1152 and 13; Wyo. Stat. §6-3-302)	Penalty: \$750 &/or 6 months	1 st offense:\$200 2 nd offense: \$400 3 rd offense: \$600
Criminal trespass (entering or remaining on or in the land or premises of another (Indian) person, knowing he is not authorized to do so, or after being notified to depart or to not trespass) (18 U.S.C. §§1152 and 13; Wyo. Stat. §6-3-303)	Penalty: \$750 &/or 6 months	1 st offense:\$40 2 nd offense: \$60 3 rd offense: \$120 & Mandatory Appearance
Theft (knowingly taking or carrying away, with intent to steal or purloin the personal property (of an Indian) where property is valued less than \$1000) (18 U.S.C. §§1152 and 661)	Penalty: \$100,000 &/or 1 year	1 st offense:\$200 2 nd offense: \$400 3 rd offense: \$600
Theft from a tribal gaming establishment on Indian land of less than \$1000 (18 U.S.C. §1167(a))	Penalty: \$100,000 &/or 1 year	1 st offense:\$200 2 nd offense: \$400 3 rd offense: \$600
Buying, concealing, or receiving stolen personal property (of an Indian) valued under \$1000 (18 U.S.C. §§1152 and 662)	Penalty: \$100,000 &/or 1 year	1 st offense:\$200 2 nd offense: \$400 3 rd offense: \$600
Destruction/removal of Indian Country boundary or warning signs (18 U.S.C. §1164)	Penalty: \$5000 &/or 6 months	\$100 per sign

Offenses	Penalty	Mandatory Appearance or Forfeiture of Collateral Amount for Optional Appearance
Destruction/removal of signs in Indian Country indicating that hunting, fishing or trapping is not permitted thereon (18 U.S.C. §1164)	Penalty: \$5000 &/or 6 months	\$100 per sign
Unauthorized excavation, removal, damage, alteration or defacement of any archeological resource located on public land, or tribal land without a permit (item valued less than \$500)(1 st offense) (16 U.S.C. §470ee(a))	Penalty: \$1000 &/or 1 year; \$100,000 alternative fine	1 st offense:\$200 2 nd offense: \$400 3 rd offense: \$600
Trafficking in archeological resources by selling, purchasing or offering for sale, purchase or exchange any archeological resource when it was excavated or removed from public land, tribal land, or an Indian allotment without legal authorization or in violation of a federal law, regulation, rule, ordinance, or permit (item valued less than \$500)(1 st offense) (16 U.S.C. §470ee(b))	Penalty: \$10,000 &/or 1 year; \$100,000 alternative fine	\$100
Knowing or intentional possession of a controlled substance without a valid prescription (1 st offense) (21 U.S.C. §844)	Penalty: Not less than \$1000 nor more than \$100,000 &/or 1 year	\$150