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IN THE UNITED STATES DISTRICT COURTS BY
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

95 JUL 25 PM 4: 29

IN THE MATTER OF:

COLLATERAL FINES FOR PETTY OFFENSE CASES FOR:

OFFENSES COMMITTED ON THE PROPERTY OF THE DEPARTMENT OF THE NAVY AT NAVAL AIR STATION, MEMPHIS AND NAVAL REGIONAL MEDICAL CENTER, MEMPHIS Admin Ord 95-20

REVISED ORDER OF THE COURT PROVIDING FOR FORFEITURE OF COLLATERAL IN LIEU OF APPEARANCE

In accordance with Rule 58(d)(1), Federal Rules of Criminal Procedure, it is hereby ORDERED that collateral may be posted in lieu of the appearance of the offender in the amount indicated for the offenses listed below, whether originating under the applicable federal statute or federal regulation or applicable state statute by virtue of the Assimilative Crimes Act, 18 U.S.C. §13, and occurring within the territorial jurisdiction of a United States Magistrate Judge. Appearance before a United States Magistrate Judge may be waived, and forfeiture of the collateral may be consented to. Persons charged with offenses listed as "mandatory appearance violations" must appear for trial. Forfeiture will not be permitted on violations contributing to an accident with personal injury or when, in the opinion of the arresting or citing officer or agency, the offense charged was an aggravated offense.

This Order supersedes all prior orders providing for forfeiture of collateral in lieu of appearance that have been promulgated for this District.

Upon the failure of the person charged with an offense or offenses to appear before the United States Magistrate Judge for trial of the offenses listed below, except for those offenses

denominated "mandatory appearance violations," the collateral in the amount listed opposite the offense shall be forfeited to the United States. The posting of collateral shall signify that the offender does not contest the charge nor request a hearing before the designated United States Magistrate Judge. If a defendant fails to post such collateral, request a hearing or appear in response to a citation or violation notice, the Central Violations Bureau or the Magistrate Judge may issue a notice for the defendant to appear before a Magistrate Judge on a date certain or to post collateral in lieu of appearance in accordance with the following schedules. If a defendant fails to respond to such notice, the Magistrate Judge may issue an arrest warrant or, if no warrant is requested by the attorney for the government, a summons in accordance with 58(d)(3), Federal Rules of Criminal Procedure. Such arrest warrant or summons may provide that the defendant may pay a fixed sum, not to exceed the maximum fine which could be imposed upon conviction, in lieu of personal appearance before the Magistrate Judge. The Magistrate Judge shall certify the record of any forfeiture of collateral for a moving traffic violation to the proper state authority. Pursuant to the foregoing, the offenses for which collateral may be posted in lieu of appearance by the person charged with the said offenses are:

	18 U.S.C. § 41	Hunting or fishing without approval
	18 U.S.C. § 113(e)	Simple assault
	18 U.S.C. § 701	Unauthorized possession of an official badge, identification card, or other insignia of a United States Agency
	18 U.S.C. § 702	Unauthorized wearing of uniform of armed forces or Public Health Service
	18 U.S.C. § 703	Wearing uniform of friendly nation with intent to deceive \$250
	18 U.S.C. § 1382	Entering military installation for purpose prohibited by lawful regulation or law, or after order not to re-enter First offense
	21 U.S.C. § 844	Simple possession of a controlled substance First offense
	39-13-513	Prostitution
$\overline{}$	39-13-514	Patronizing prostitution
	39-14-103	Theft of property - value of less than \$500 \$100
	39-14-118	Illegal possession or fraudulent use of credit or debit card
	39-14-408	Vandalism - damage under \$500
	39-14-502	Criminal littering
	39-16-303	Using a false identification
	39-16-602	Resisting stop, frisk, halt, arrest, or search . \$100
	39-17-305	Disorderly conduct
	39-17-307	Obstructing highway or other passageway \$50
	39-17-310	Public intoxication .
	39-17-1307	Unlawful carrying or possession of a weapon Firearm

TRAFFIC OFFENSES COMMITTED ON PROPERTY OF THE DEPARTMENT OF THE NAVY AT NAVAL AIR STATION MEMPHIS AND NAVAL REGIONAL MEDICAL CENTER MEMPHIS

55-4-108	Failure to carry registration in vehicle or on person or to produce registration upon demand		
55-5-114	Operating motor vehicle without valid registration plates		
55-5-126	Use of stolen license plates		\$50
55-8-103	Failure to obey traffic laws		
55-8-104	Failure to obey police officer directing traffic		\$25
55-8-114	Interference with official traffic-control devices	-	\$50
55-8-119	Passing when view obstructed or traffic oncoming		
55-8-121	Passing in a no passing zone		\$25
55-8-122	Traveling the wrong direction on a one-way street		
55-8-123	Failure to operate vehicle within marked lane		
55-8-124	Following too closely		\$25
55-8-128	Failure to yield right-of-way		
55-8-132	Failure to yield to emergency vehicles		\$50
55-8-135	Pedestrian crossing at other than crosswalk		
55-8-136	Failure of driver to exercise due care to avoid colliding with pedestrians		\$50
55-8-139	Pedestrians soliciting rides or business		
55-8-142	Improper turn		
55-8-143	Failure to signal for turn/improper turn signal		\$25
55-8-149	Failure to stop at stop sign		
55-8-151	Overtaking and passing school or church bus loading or discharging passengers		\$50
55-8-152	Exceeding posted speed limit By 15 miles or less By more than 15 miles	- • • •	\$25 \$50
55-8-160	Illegal parking (reserved, prohibited, handicapped)	- • • •	\$25

55-8-162	Leaving unattended vehicle not braked or with engine running	
55-8-163	Failure to exercise due care in backing	\$25
55-8-164	Motorcycle operator or passenger not in approved seating position/headlamp not illuminated	\$25
55-8-165	Operator's view obstructed	
55-8-172	Failure to follow traffic laws while riding bicycle .	\$15
55-8-185	Operation of off-road vehicle on roadway	
55-8-187	Displaying obscene or patently offensive bumper stickers or window signs	
55-9-107	Improper window tint or failure to roll down tinted window when stopped by uniformed officer	
55-9-302	Operating or riding motorcycle without crash helmet	\$50
55-9-304	Operating or riding motorcycle without eye protection	
55-9-602	Failure to have child under four years old properly restrained	\$50
55-9-603	Failure to use a safety belt.	
55-10-101	Failure to stop after accident involving death or injury	\$50
55-10-102	Failure to stop after traffic accident involving damage to vehicle	
55-10-103	Failure to give information and render aid after involvement in accident .	\$50
55-10-104	Failure to give information after hitting an unattended vehicle	\$25
55-10-105	Failure to notify owner after striking fixtures upon a highway	
55-10-106	Failure to immediately notify authorities of traffic accident with personal injury/property damage of over \$50.00	
55-10-202	Allowing unlicensed person to operate vehicle	\$25
55-10-205	Reckless driving	
55-10-502	Drag racing	
55-50-301	Operating motor vehicle without valid operator's license	
55-50-351	Failure to carry/exhibit driver's license on demand	\$25
55-50-504	Operating motor vehicle while license is revoked, suspended, or cancelled (55-12-131 if out of state)	

Entered this the _____25_ day of

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UNITED STATES DISTRICT JUDGE, CHIEF

D. TODD UNITED STATES DISTRICT JUDGE

JEROME TURNER

UNITED STATES DISTRICT JUDGE

PHIPPS MCCALLA UNITED STATES DISTRICT JUDGE

Approved:

United States Attorney