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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

In the matter of )  
)  
SENTENCING PROCEDURES UNDER )  
THE SENTENCING REFORM ACT OF )  
1984 ) GENERAL ORDER 98-10  
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1. Sentence shall be imposed within 65 days from the date of a plea of guilty or nolo contendere or from the entry of a verdict or other finding of guilt unless the time has been extended in accordance with Rule 32(a)(1) Fed.R.Crim.P. or by order of the court.
2. Not less than 35 days prior to the date set for sentencing the probation officer shall disclose the presentence report to the defendant’s attorney or to the defendant, if pro per, and to the United States Attorney.
3. Within 10 days after disclosure of the presentence report, and consistent with § 6A1.2 of the Sentencing Guidelines (Oct. 1987) the parties shall file with the Clerk of the Court, exchange, and deliver to the probation officer, in writing, any objections they may have to any material factual information, sentencing classifications, sentencing guideline ranges and/or policy statements contained in or omitted from the presentence report.
4. Within 10 days after the filing of objections to a presentence report, and consistent with § 6A1.2 of the Sentencing Guidelines (Oct. 1987), an opposing party shall file with the Clerk of the Court, exchange and deliver to the probation officer, in writing, any response to an adverse party’s objections to the presentence report.

1           5. After receiving the parties' objections and responses thereto, the probation officer shall  
2 conduct such further investigation and make such revisions to the presentence report as may be  
3 necessary. The probation officer may request that counsel for the parties meet with the officer to discuss  
4 unresolved factual, legal and/or procedural issues.

5           6. Not less than 5 days prior to the date of the sentencing hearing, the probation officer shall  
6 submit the final presentence report to the sentencing judge. The report shall be accompanied by an  
7 addendum setting forth such unresolved issues of fact and/or of law as may require adjudication by the  
8 court together with the probation officer's comments thereon. The probation officer shall certify that  
9 the content of the presentence report, including any revisions thereof, and the addendum have been  
10 disclosed to counsel for all parties and to any pro per defendant and that the addendum fairly states all  
11 issues relating to the presentence report which remain for adjudication by the court.

12           7. Prior to the date of the sentencing hearing, the attorneys for the government and the  
13 defendant, or a pro se defendant shall, if not otherwise complied with, file with the Clerk of the Court  
14 a "Statement of Factors to be Relied Upon at Sentencing" as required by § 6A1.2 of the Sentencing  
15 Guidelines (Oct. 1987).

16           8. Except as may be set forth in the addendum, the presentence report delivered to the court in  
17 accordance with paragraph six thereof will be deemed by the court to be an accurate statement of the  
18 facts relevant to sentencing.

19           9. Notwithstanding any other provision of this order, the court may, for good cause, allow  
20 additional objections to be raised at any time prior to the imposition of sentence.

21           10. The times set forth in this order may be modified by the court for good cause except that the  
22 time for disclosure of the presentence report as provided in paragraph two hereof shall not be less than  
23 10 days prior to sentencing unless this minimum period is waived by the defendant.

24           11. Nothing in this order requires disclosure of any portions of the presentence report that are  
25 protected from disclosure under Rule 32 of the Federal Rules of Criminal Procedure.

26           12. The presentence report shall be deemed to have been disclosed (1) when a copy of the report  
27 is physically delivered, (2) one day after the report's availability for pick up has been orally  
28 communicated, (3) three days after a copy of the report or notice of its availability is mailed.

1 NOTE: Schematic diagram setting for the presentence procedures to be followed in the District  
2 of Arizona is set forth as Exhibit A hereto.

3 **DATED** this 16<sup>th</sup> day of December, 1987.

4 /s/ Richard M. Bilby  
Richard M. Bilby, Chief Judge

/s/ William D. Browning  
William D. Browning, Judge

5 /s/ C. A. Muecke  
C. A. Muecke, Judge

/s/ William P. Copple  
William P. Copple, Judge

6 /s/ Charles L. Hardy  
7 Charles L. Hardy, Judge

/s/ Earl H. Carroll  
Earl H. Carroll, Judge

8 /s/ Paul G. Rosenblatt  
9 Paul G. Rosenblatt, Judge

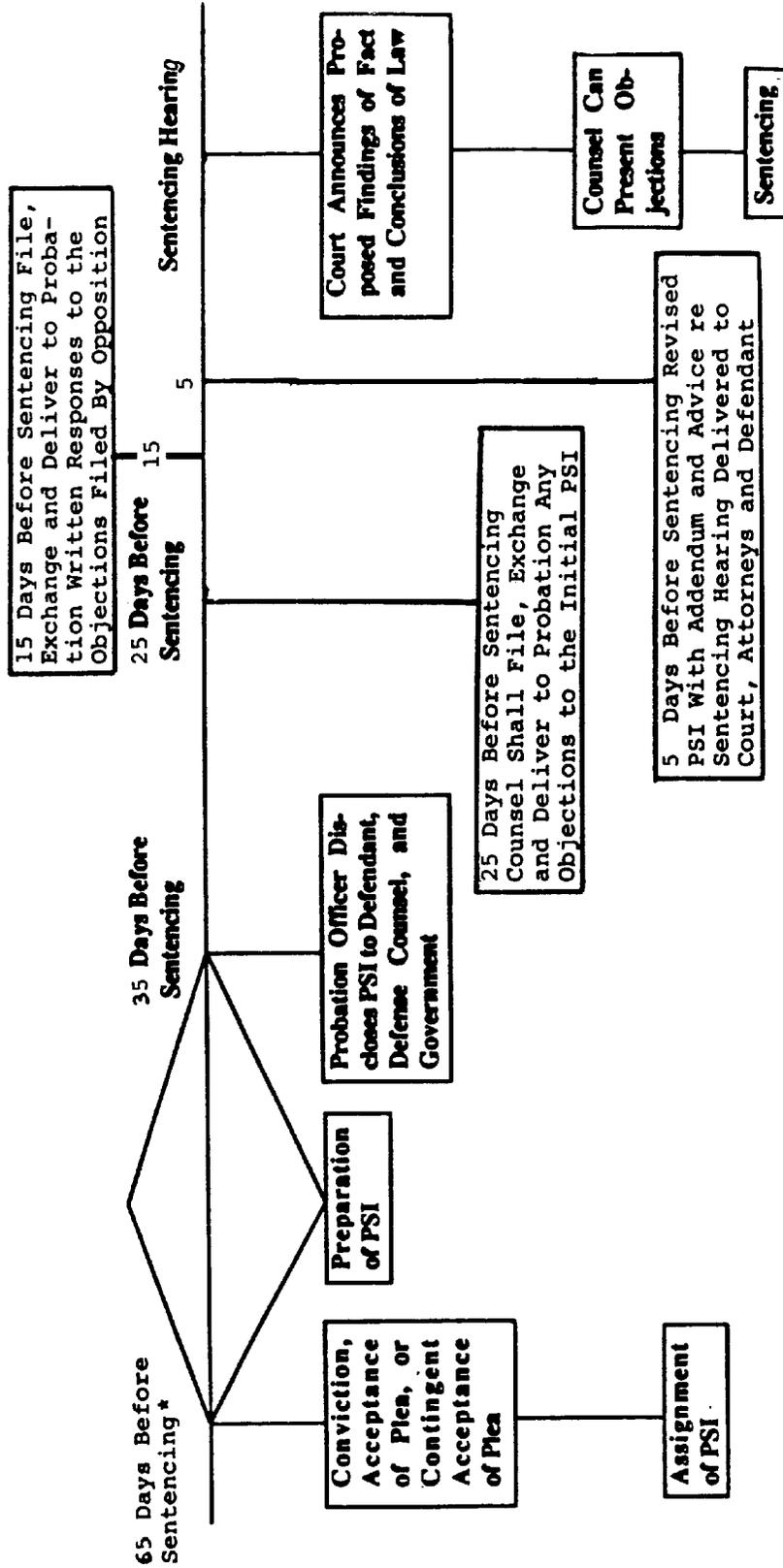
/s/ Robert C. Broomfield  
Robert C. Broomfield, Judge

10 /s/ Roger G. Strand  
11 Roger G. Strand, Judge

/s/ Alfredo C. Marquez  
12 Alfredo C. Marquez, Judge

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# Arizona Local Rule



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