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MAY 5, 2023

CLERK US DISTRICT COURT
DISTRICT OF ARIZONA

BY s/M. Everette DEPUTY

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

In the matter of

AUTHORIZING COLLATERAL IN LIEU
OF PERSONAL APPEARANCE
CONCERNING VIOLATIONS OF THE
CODE OF FEDERAL REGULATIONS
GOVERNING THE BUREAU OF LAND
MANAGEMENT AND THE UNITED
STATES FOREST SERVICE FOR
CERTAIN MISDEMEANOR OFFENSES
OCCURRING DURING FIRE
RESTRICTIONS DUE TO THE EXIGENT
CIRCUMSTANCES CREATED BY THE
CORONAVIRUS DISEASE (COVID-19)

SUPERSEDES GENERAL ORDER 21-26

GENERAL ORDER 23-12

WHEREAS, federal land in the District of Arizona is frequently under fire restrictions.

WHEREAS, General Order 19-14 requires a mandatory court appearance for certain misdemeanor offenses committed in the National Forests and/or on the federal lands managed by the Bureau of Land Management during fire restrictions.

WHEREAS, General Order 21-26 temporarily (through December 31, 2022) authorized the forfeiture of collateral for misdemeanor fire restriction violations under Titles 36 and/or 43 of the Code of Federal Regulations due to precautions related to COVID-19.

WHEREAS, COVID-19 cases in the State of Arizona and elsewhere in the United States continue to create a risk of infection to the public, including those who may come

1 into contact with court employees, attorneys, law enforcement officers, and others who
2 have business with the Court.

3 WHEREAS, there continues to be a need to reduce the number of defendants that
4 appear in court to reduce the potential spread of COVID-19 and other respiratory viruses.
5 However, at the same time, there is a need to provide consistent punishment and deterrence
6 for those who violate fire restrictions on federal lands.

7 ACCORDINGLY, IT IS HEREBY ORDERED that persons arrested and/or charged
8 with misdemeanor fire restriction violations under Titles 36 and/or 43 of the Code of
9 Federal Regulations may waive an appearance before a United States Magistrate Judge and
10 dispose of the matter by forfeiting collateral in the amount of \$300.00 (plus any
11 administrative fees that may be required by the Central Violations Bureau). Payment of
12 the collateral forfeiture (plus any administrative fees) shall be to the Central Violations
13 Bureau. When such collateral is forfeited, it will terminate the proceeding and not
14 constitute a criminal conviction. Forfeiture of collateral shall not apply to those persons
15 issued a citation requiring a mandatory appearance before a United States Magistrate
16 Judge. Those persons issued a citation requiring a mandatory appearance before a United
17 States Magistrate Judge are required to appear before said United States Magistrate Judge
18 as directed.

19 IT IS FURTHER ORDERED that nothing contained in this Order shall prohibit a
20 law enforcement officer from arresting any person for the commission of any of the above-
21 described offenses, including those for which collateral may be posted and forfeited, and
22 upon such arrest, taking the person immediately before a United States Magistrate Judge,
23 or requiring the person charged to make a mandatory appearance before a United States
24 Magistrate Judge, or requiring the posting of a custody release bond.

25 IT IS FURTHER ORDERED that this Order shall remain in effect until further
26 notice.

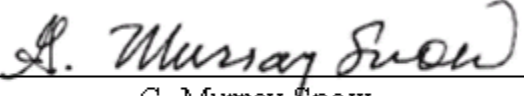
27 IT IS FURTHER ORDERED that General Order 19-14 remains in full force and
28 effect as supplemented herein.

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This General Order supersedes General Order 21-26.

The Court reserves the right to amend or rescind this General Order at any time due to the changing public health statistics and circumstances.

Dated this 5th day of May, 2023.



G. Murray Snow
Chief United States District Judge