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DECEMBER 30, 2021

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)

GENERAL ORDER 21-26

**SUPERSEDES GENERAL ORDER 21-03**

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 21-03 temporarily (through December 31, 2021) 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. However, at the same time,  
5 there is a need to provide consistent punishment and deterrence for those who violate fire  
6 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 the posting of a custody release bond.

25 IT IS FURTHER ORDERED that this Order shall remain in effect until December  
26 31, 2022 or until further notice, whichever comes first.

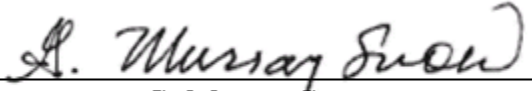
27 IT IS FURTHER ORDERED that General Order 19-14 remains in full force and  
28 effect as supplemented herein.

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This General Order supersedes General Order 21-03.

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 30<sup>th</sup> day of December, 2021

  
\_\_\_\_\_  
G. Murray Snow  
Chief United States District Judge