

FILED       LODGED  
 RECEIVED    COPY

FEBRUARY 25, 2021

CLERK US DISTRICT COURT  
DISTRICT OF ARIZONA

BY s/ M. Everette DEPUTY

**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 21-03

WHEREAS, much of the federally managed land in the District of Arizona has been and is currently under fire restrictions.

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

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

WHEREAS, there is a need to reduce the number of defendants that appear in court to reduce the potential spread of COVID-19. However, at the same time, there is a need to

1 provide consistent punishment and deterrence for those who violate fire restrictions on  
2 federally managed lands.

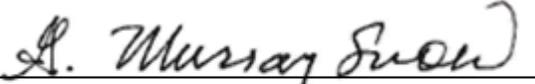
3 ACCORDINGLY, IT IS HEREBY ORDERED that persons arrested and/or charged  
4 with misdemeanor fire restriction violations under Titles 36 and/or 43 of the Code of  
5 Federal Regulations may waive an appearance before a United States Magistrate Judge and  
6 dispose of the matter by forfeiting collateral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

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

21 IT IS FURTHER ORDERED that this Order shall remain in effect until December  
22 31, 2021 or until further notice, whichever comes first.

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

25 Dated this 25<sup>th</sup> day of February, 2021.

26   
27 G. Murray Snow  
28 Chief United States District Judge