

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

**STANDING ORDER**

**RELEASE OF DEFENDANTS ON THEIR OWN  
RECOGNIZANCE IN YOSEMITE NATIONAL  
PARK AND FEDERAL LANDS AND FEDERAL  
ENCLAVES IN KERN AND INYO COUNTIES**

If the United States determines that it will not seek bail to secure the release of a criminal defendant arrested for a misdemeanor or infraction in Yosemite National Park or on federal lands or federal enclaves situated in Kern or Inyo Counties, it shall release the defendant on his or her own recognizance. See generally, 18 U.S.C. § 3142(b).

This Standing Order specifies the terms on which such defendants may be released on their own recognizance prior to an initial appearance before a judicial officer.

A defendant released on his or her own recognizance pursuant to this standing order **SHALL** be required to agree to abide by the following six standard conditions:

- 1) The defendant **SHALL** appear at all proceedings as ordered by the Court and **SHALL** surrender for service of sentence if and when sentence is imposed;
- 2) The defendant **SHALL NOT** commit any federal, state or local crime during the period of release;
- 3) The defendant **SHALL** immediately advise the Court, defense counsel and the citing

1 federal law enforcement agency in writing if arrested or cited by any law enforcement  
2 officer for any offense other than a non-moving traffic violation during the period of  
3 release;

- 4 4) The defendant **SHALL NOT** harass, threaten, intimidate, injure, or retaliate against  
5 any witness, victim, informant, juror, or officer of the court, tamper with any evidence  
6 relating to the alleged crime or obstruct any criminal investigation;
- 7 5) **Within five days of a change of address**, the defendant **SHALL** advise the court,  
8 defense counsel, the citing federal law enforcement agency in writing of the current  
9 address and telephone number;
- 10 6) If the collection of a DNA sample is authorized pursuant to section 3 of the DNA  
11 Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135a), the defendant **SHALL**  
12 cooperate in the collection of a DNA sample from his or her person;

13 The United States **SHALL** inform the defendant of, and obtain the defendant's written  
14 agreement to, these standard conditions at the time of release.

15 The United States may make a telephonic request to the nearest United States Magistrate Judge  
16 if it seeks additional conditions as a prerequisite to release. If the need for additional conditions arises  
17 after release, the request may be made at the time of the defendant's first appearance before a judicial  
18 officer.

19  
20 IT IS SO ORDERED.

21 Dated: November 18, 2016

/s/ Lawrence J. O'Neill  
22 UNITED STATES CHIEF DISTRICT JUDGE