

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

**POLICY REGARDING
PROBATION COMPLIANCE REVIEW**

Henceforth, in all criminal cases before the undersigned in which the undersigned sentences a convicted defendant to a period of unsupervised probation, the following procedures will be followed and Orders entered consistently therewith, unless a contrary Order is issued by the court in a particular case.

1. A Review Hearing will be scheduled for a date approximately one month before the date on which the period of unsupervised probation is scheduled to end.
2. The primary purpose of the Review Hearing will be to determine whether the defendant has complied with all conditions of probation.

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

3. The defendant and counsel who represented defendant at the time of sentencing, or successor counsel for said defendant, shall be personally present at the Review Hearing in the Yosemite Courthouse of the U.S. District Court for the Eastern District of California unless the Court orders otherwise.
4. No earlier than one month prior to the date set for the Review Hearing nor later than two weeks before the date set for the Review Hearing, counsel for Defendant may serve upon counsel for the government, or said counsel's designee, a copy of a Petition seeking to have the scheduled Review Hearing vacated or continued, stating all facts supporting the relief sought.
5. No later than ten days before the date set for the Review Hearing, counsel for the government, or said counsel's designee, shall file with the Court and serve upon defense counsel a copy of the Petition served by defense counsel along with a statement of whether the government agrees or disagrees that the Court should grant the relief sought in the Petition. If the government disagrees with the relief sought, the government shall include with the Petition all facts warranting denial of the relief sought and describe alternative action, sought .
6. If a Review Hearing is continued by Order of the Court, the procedures set forth above shall apply in the same way with regard to each date to which the rescheduled Review Hearing is continued.