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JAN 1 1985

A. MARVIN HELART
CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
BENTON OFFICE

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF ILLINOIS

IN THE MATTER OF:)
)
ESTABLISHMENT OF CENTRAL)
VIOLATIONS BUREAU)

2

It appearing to the Court that it is necessary to again amend Special Order No. 2 and to provide for a property forfeiture order in wildlife cases and to further provide for mandatory appearances at the discretion of the law enforcement officer, **NOW, THEREFORE, IT IS**

ORDERED that Special Order No. 2 shall be amended to read as follows:

"It appearing to the Court that it is necessary to reestablish a Central Violations Bureau in this District, and to allow the consolidation of such bureau with the Western District of Kentucky, **NOW, THEREFORE, IT IS**

ORDERED that a Central Violations Bureau be established in this District under the supervision of the Clerk for the purpose of permitting persons charged with certain petty offenses and suitable types of misdemeanor offenses, as enumerated in the attached collateral fines schedules, to post collateral in a pre-set amount, waive appearance before the Court, and consent to the forfeiture of the collateral by mail; **IT IS**

FURTHER ORDERED that the Central Violations Bureau for this District be consolidated with the automated Central Violations Bureau in the Western District of Kentucky, which district will henceforth have the authority and responsibility to

conduct the forfeiture of collateral procedures for this District; **IT IS**

FURTHER ORDERED that if, within the discretion of the law enforcement officer, the offense is of an aggravated nature, the law enforcement officer, notwithstanding this rule, may require appearance, and any punishment established by law, including fine, imprisonment or probation, may be imposed upon conviction. Nothing contained in this rule shall prohibit a law enforcement officer from arresting a person for the commission of any offense, including those for which collateral may be posted and forfeited, and taking him immediately before a United States magistrate or requiring the person charged to appear before a United States magistrate; **IT IS**

FURTHER ORDERED that unless specifically otherwise ordered by a United States Court of the Southern District of Illinois, any wildlife or property which has been seized within the jurisdiction of the Southern District of Illinois under the authority of the Migratory Bird Treaty Act, 16 U.S.C. 703-711; the National Wildlife Refuge Systems Administration Act, 16 U.S.C. 668dd-668ee; the Eagle Protection Act, 16 U.S.C. 668-668e; the Endangered Species Act, 16 U.S.C. 1531-1542; the Migratory Waterfowl Hunting Stamp Act, 16 U.S.C. 718-718i; the Airborne Hunting Act, 16 U.S.C. 742j-742j(2); the Marine Mammal Protection Act, 16 U.S.C. 1361-1407; the Lacey Act, 18 U.S.C. 42, or the Lacey Act amendments of 1981, 16 U.S.C. 3371-3378; where final disposition of the case has been made by either payment of a

forfeiture of collateral or a judgment by the court on behalf of the government, and where so authorized by statute, such wildlife or property shall be forfeited to the United States government and disposed of by the U. S. Fish and Wildlife Service in such manner as prescribed in **Title 50, Code of Federal Regulations, Part 12; IT IS**

FURTHER ORDERED that any amendments to this Order to the fine schedules, as may be desired in the future by the Central Violations Bureau, shall be first submitted to the Court for approval prior to dissemination; **IT IS**

FURTHER ORDERED that the collateral fine schedules as presently approved by the Court are attached hereto and are listed in the index of attachments attached hereto and made a part hereof; **IT IS**

FURTHER ORDERED that the fine schedules as attached to original Special Order No. 2 and the First Amended Special Order No. 2 as are presently in effect shall be attached hereto and made a part hereof, and the original Special Order No. 2 and First Amended Special Order No. 2 are hereby superseded and canceled.

DATED this 11th day of January 1985.

James L. Foreman

CHIEF JUDGE

William R. Beatty

U. S. DISTRICT JUDGE

AO 72A
(Rev. 8/82)