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Illinois Central District Court
Case No. 1:08-cr-10013-JBM-JAG
USA v. Prather

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA

Plaintiff,

v.

No. 08-10013-001

William P. Prather

Defendant.

ORDER ON IMPLEMENTATION OF SENTENCING GUIDELINES

Counsel are allowed fourteen (14) days, beginning on the date of receipt of the Pre-Sentence Report, to communicate, in writing, to the probation officer and to opposing counsel, any objections to any material information contained in, or omitted from, the report. If there are no objections to the contents of the report, this also must be communicated to the probation office and to opposing counsel, in writing, within fourteen (14) days. The AUSA and defense counsel are requested to meet with the probation officer and make a good faith effort to resolve the objections. The probation office may also conduct further investigation and either revise the report or prepare an addendum addressing all unresolved objections. See Federal Rule of Criminal Procedure 32(f); Local Rule 32.1.

If there are other sentencing factors or any unresolved objections not adequately presented in the Addendum to the Presentence Report, e.g. the appropriateness of a sentence which is above or below the Guideline range, counsel shall file a pleading with the Court, with a copy to opposing counsel and the probation officer, entitled "(Party's) Commentary on Special Sentencing Factors," along with a memorandum of law in support thereof. Any such commentary shall be filed at least four (4) working days prior to the sentencing hearing. Opposing counsel are given leave to file a response at least two (2) working days prior to sentencing.

Should either the Government or the defense intend to present sworn testimony at the sentencing hearing, notice of proposed witnesses, the subject of their testimony, and projected length of the testimony, shall be filed with the Court at least four (4) working days prior to the hearing, with due service upon opposing counsel. Counsels' adherence to this deadline will enable the Court to schedule sufficient time for the hearing and minimize the inconvenience to witnesses.

This implementation timetable will be strictly followed since a failure to meet a deadline impacts on all subsequent deadlines which, in turn, could necessitate continuing the sentencing hearing.

ENTER: April 3, 2008

s/Joe B. McDade

Joe B. McDade, U.S. District Judge