
IN THE UNITED STATES DISTRICT COURT U.S. DISTRICT COURT
DISTRICT OF UTAH

IN RE: CVB FORFEITURE OF
COLLATERAL

GENERAL ORDER
No. 20-016

Pursuant to Rule 58(d) of the Federal Rules of Criminal Procedure, which authorizes promulgation of local rules relating to the forfeiture of collateral for the Central Violations Bureau (CVB) docket,

IT IS ORDERED that persons charged by violation notice with violations of Titles 32, 36, 38, 39, 41, 43, 46, and 50 of the Code of Federal Regulations; Titles 10, 16, 18, 21, 43, 49, and 50 of the United States Code; or the Utah Criminal Code by virtue of the Assimilative Crimes Act (Title 18, United States Code, Section 13) may waive an appearance before a United States Magistrate Judge and dispose of the matter by forfeiting the pre-set collateral, or an amount other than the pre-set collateral, if agreed to by all parties, for petty and misdemeanor offenses, as set forth in the Court's 2004 [Consolidated Collateral Forfeiture Schedule](#) and its revisions, up to and including General Order [No. 20-007](#).¹ When such collateral is forfeited, the proceedings will terminate, and the forfeiture shall not constitute a criminal conviction or an admission of guilt. Individuals with violation notices requiring a mandatory appearance may also request to proceed by forfeiture of collateral, and they may waive their appearance, by agreement of the parties and if allowed by the court.

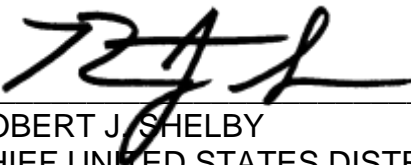
¹ The court's revisions to the 2004 Consolidated Collateral Forfeiture Schedule include General Order No. [08-005](#); [2011 Order Revising Collateral Forfeiture Schedule](#); General Order No. [12-005](#); General Order No. [14-006](#); General Order No. [17-003](#); General Order No. [18-002](#); General Order No. [20-005](#); General Order No. [20-006](#); and General Order No. [20-007](#).

IT IS FURTHER ORDERED that this rule applies retroactively to all individuals who have forfeited collateral to a CVB violation in the District of Utah.² As a result, all such cases are deemed terminated by payment of the collateral, and the forfeiture does not constitute a criminal conviction or an admission of guilt.

IT IS FURTHER ORDERED that the Local Rules Committee for the District shall promulgate a local criminal rule consistent with this Order.

SO ORDERED this 2nd day of June, 2020.

BY THE COURT:



ROBERT J. SHELBY
CHIEF UNITED STATES DISTRICT JUDGE

² This Order is intended to clarify and confirm that individuals who made a payment to the CVB before the Court entered this Order are considered as having “forfeited collateral” for the purposes of Federal Rule of Criminal Procedure 58.