Pleas and Sentencing

The Court may reserve its decision on whether to accept a Rule 11 agreement. The Court will then refer the matter to probation for a presentence report. If the Court decides to reject a Rule 11 plea agreement, it will inform the parties in open court or at a status conference prior to the sentencing date. The Court will set a firm plea cutoff date for each case, which will be at the time of the final pretrial conference/plea cutoff hearing. No negotiated pleas will be accepted after that date, unless extraordinary circumstances exist.

Prior to sentencing, the Court requires a presentence investigation and report. Disputes between the government and defense counsel relating to the computation of sentencing guidelines are resolved by hearing prior to or at sentencing. Sentencing memoranda must be filed by the government and defense counsel at least seven days prior to the sentencing. If the government intends to seek remand at sentencing, it should advise the Court at least one day before the sentencing.