Criminal Cases: Criminal Matters

Status Conference

The Court does not hold initial status conferences in criminal cases. Rather, approximately seven days after arraignment, the Court will issue a Criminal Trial Notice and Scheduling Order. The Court's requirements and standard practices for criminal matters are outlined in that order.

Pleas

If the parties intend for the case to be resolved by a plea agreement pursuant to Federal Rule of Criminal Procedure 11, they must submit a signed copy of the written plea agreement to chambers at least two business days before the plea hearing date. The Court sets a plea cut-off date in its scheduling order. The Court will rarely accept an *Alford* plea and never over government objection. The Court may consider a nolo contendere plea.

Sentencing

The Court requires a presentence investigation and report prior to sentencing. Disputes between the government and defense counsel relating to information in the report and/or computation of sentencing guidelines are typically resolved during the sentencing hearing. If the AUSA and defense counsel agree on the computation of sentencing guidelines, but the probation officer disputes their conclusion, the Court will use a conference or hearing to resolve the conflict. Any disputes should be submitted to the Court in writing in accordance with Federal Rule of Criminal Procedure 32(f). The Court generally meets with the probation officer prior to sentencing.