Pleas and Sentencing

The Court will accept an *Alford* plea. The Court will sometimes accept an *Alford* plea over Government objection. The Court will also accept a *nolo contendere* plea, sometimes over Government objection. The Court requires a presentence investigation and report prior to sentencing, even if there will be no custodial sentence imposed and even for corporate defendants, but may not if both the Government and the defendant agree to waive it. If the Court waives preparation of a presentence report but the defendant requests it, the Court will order it. Disputes between the Government, defense counsel, or Probation relating to the computation of sentencing guidelines or Probation are typically resolved at sentencing. The Court may meet with a probation officer prior to sentencing. Depending on the case, the Court may permit a convicted individual to self-report to the custodial facility. If the Court decides to reject a Rule 11 plea agreement, it will inform the parties in open court. The Court will accept a sentencing guideline plea where the plea agreement uses language that the sentence will not exceed a certain period above the minimum of the applicable guideline range. It does not matter whether the parties agree to what the above applicable range is.