

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI**

IN RE:)
COURT OPERATIONS RESTRICTIONS)
DUE TO COVID-19 RESPONSE)

ADMINISTRATIVE ORDER

WHEREAS beginning March 17, 2020, the Court has issued a series of Orders regarding Court Operations Restrictions Due to COVID-19 Response;

NOW THEREFORE, to continue to protect public health, respond to the COVID- 19 outbreak, and provide for the effective administration of criminal justice;

IT IS HEREBY ORDERED that:

1. As an alternative to the otherwise standard criminal sentencing process set forth in the Administrative Order of this Court regarding Sentencing Procedures entered January 20, 2017, a presentence report may be initiated before the entry of a guilty plea or establishment of guilt when the parties have finalized a plea agreement and the parties and the Court agree that a pre-plea investigation and consolidated guilty plea and sentencing process would be helpful to resolve a criminal matter. Under the alternative process, the United States Probation Office will prepare a pre-plea presentence investigation and report that compiles and summarizes the information required under Rule 32 of the Federal Rules of Criminal Procedure.

2. The following steps apply when the parties agree that a case is appropriate for a pre-plea investigation and consolidated guilty plea and sentencing process:

a. The parties must file a joint motion for a pre-plea presentence investigation and consolidated plea and sentencing hearing. A template for the joint motion is available on the Court's website at www.moed.uscourts.gov. The motion must contain the following information:

i. The defendant's request that the Court order the United States Probation Office to conduct a presentence investigation and to prepare the report before the entry of a guilty plea;

ii. The defendant's consent to participate in the pre-plea investigation and consent to disclose the report to the Court before having been found guilty or entered a plea of guilty or nolo contendere;

b. Upon filing the joint motion, the proposed plea agreement must be provided to the United States Probation Office;

c. The Court will enter an order granting the joint motion with instructions that the consolidated plea and sentencing hearing will take place no earlier than 90 days after the date the joint motion is granted;

d. After the joint motion is granted, the United States Probation Office will proceed in completing a pre-plea investigation and report, which will include the same sections and information as a traditional presentence investigation and report.

3. The pre-plea investigation and consolidated guilty plea and sentencing process will include the following deadlines:

a. The pre-plea presentence investigation report must be filed or disclosed to the parties at least 35 days prior to sentencing;

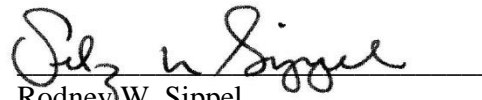
b. Within 14 days of the disclosure of the pre-plea presentence investigation report, counsel must file any objections or proposed amendments to the pre-plea presentence investigation report;

c. The probation officer must file a final pre-plea presentence investigation report, accompanied by an addendum setting forth any objections counsel may have made that were not resolved, and confidential sentencing recommendation, at least 7 days before sentencing.

4. The series of Orders entered by this Court since March 17, 2020, remain in effect, except for any changes addressed in this Administrative Order.

5. This order will remain in effect until further order of the Court.

SO ORDERED this 29th day of April, 2020.


Rodney W. Sippel
Chief United States District Judge