UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

United States Courts,
District of Idaho
FILED September 5, 2003
by CSB

N THE MATTER OF COMPLIANCE)		
WITH SECTION 994(w)(1) OF TITLE)	General Order	
28 AS AMENDED MAY 1, 2003)	Number 182	

This Order of the United States District Court, District of Idaho, is intended to constitute compliance with Section 994(w)(1) of Title 28 as amended effective May 1, 2003.

The United States Probation and Pretrial Office of the District of Idaho shall continue to submit the Report of Sentence to the United States Sentencing Commission ("Commission") within 30 days of the entry of judgment in every criminal case the following materials:

- A. The judgment and commitment order;
- B. The statement of reasons for the sentencing imposed (which shall include the reason for any departure from the otherwise applicable guideline range);
- C. All written plea agreements:
- All indictments, superseding indictments, informations and superceding informations filed in the action;
- E. The presentence report and any addenda and/or attachments;
- F. Sealed documents, which shall not be released to Congress absent an order from the sentencing judge.

The U.S. Probation and Pretrial Office in Idaho will forward to the Commission all amended judgments and/orders issued subsequent to the original judgment which were not included in the materials sent to the Commission.

It is the practice in this District that the presentence reports include the offense or offenses upon

which the sentence is imposed, the age, race, and sex of the offender and all information regarding factors made relevant by the guidelines. The reports shall continue to include this information.

In addition, the U.S. Probation and Pretrial Office in Idaho is authorized to prepare and send a Report of Sentence on Probation revocations, which includes:

- A. Violation worksheets;
- B. Petition for Action;
- C. Summary of Violation Hearings Form;
- D. Judgment and Commitment Order.

The court finds that the above materials contain all the information required by the Section 994(w)(1) sufficient to constitute the written report until such time as the Commission instructs otherwise.

At this time, until a determination can be made by the Department of Justice, WITSEC materials will not be forwarded to the Commission.

This order is intended to meet the continuing requirement that the Chief Judge of the District ensure compliance with Section 994(w)(1) of Title 28, as amended effective May 1, 2003, until further instruction by the Sentencing Commission.

Dated this 5th day of September, 2003.

/s/ B. Lynn Winmill, Chief Judge

B. Lynn Winmill, Chief District Judge