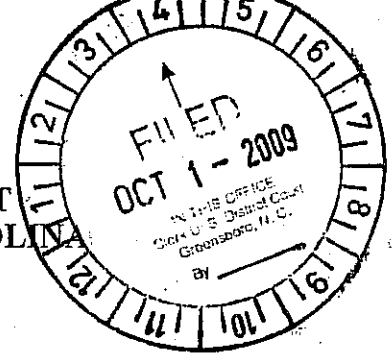


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



DISCLOSURE OF GRAND JURY)
TESTIMONY IN CRIMINAL CASES) AMENDED STANDING ORDER NO. 11.
)

FOR GOOD CAUSE APPEARING TO THE COURT,

IT IS ORDERED THAT:

Prosecuting attorneys representing the United States and any attorney representing a defendant or any defendant proceeding pro se in a criminal case before this court who has, pursuant to Rules 6, 16(a)(1)(B) and 26.2 of the Federal Rules of Criminal Procedure; the provisions of Title 18, United States Code, Section 3500; or the doctrine of Brady v. Maryland, 373 U.S. 83 (1963), received a transcript of recorded testimony of any witness before a grand jury either by and through an order of this Court or the open file policy of the United States Attorney shall handle the grand jury transcripts of recorded testimony strictly in accordance with the following instructions:

1. Except as otherwise provided for by Rule 6, Federal Rules of Criminal Procedure, disclosure is to be made only to counsel of record of a defendant or to any defendant proceeding pro se in the criminal action.
2. No counsel of record of a defendant or a defendant proceeding pro se in the criminal action may reproduce any transcript of testimony described herein.
3. Within fourteen days following the termination of the criminal action,

inclusive of any period allowed for appeal, recipients of transcripts of testimony from prosecuting attorneys for the Government shall deliver to the prosecuting attorney for the Government the transcripts to be held in accordance with Rule 6 of the Federal Rules of Criminal Procedure.

4. The transcripts may be used solely for evidentiary purposes in the criminal action.

5. Except to the limited extent that disclosure to the defendant-client or to secretarial assistants may be essential in the preparation of motions and briefs or in the preparation for trial in the criminal case, no recipient shall disclose the contents of any transcript of testimony to any non-recipient.

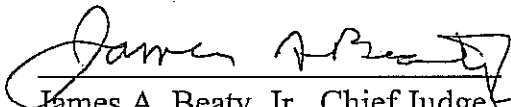
6. Recipients of transcripts of testimony shall immediately inform any and all persons assisting them in a criminal action of the contents of this Order.

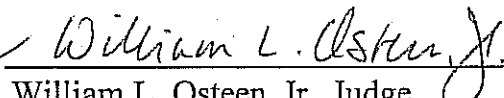
IT IS FURTHER ORDERED that the U.S. Attorney shall provide a copy of this order to attorneys or defendants proceeding pro se who obtain copies of Grand Jury material pursuant to this order.


IT IS FURTHER ORDERED that the effective date this Standing Order shall be

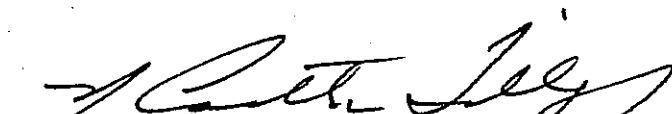
December 1, 2009.

This the 1st day of October, 2009.

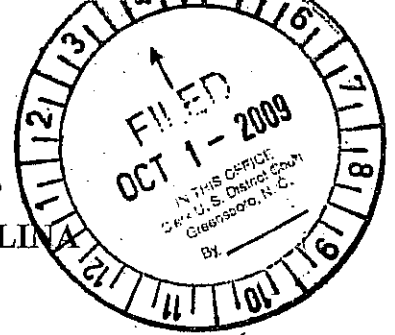

James A. Beaty, Jr., Chief Judge
United States District Court


William L. Osteen, Jr., Judge
United States District Court


Thomas D. Schroeder, Judge
United States District Court


N. Carlton Tilley, Jr., Senior Judge
United States District Court

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



CONDITIONS OF SUPERVISED)
RELEASE) AMENDED STANDING ORDER NO. 15
)

Pursuant to 18 U.S.C. § 3583(d), IT IS HEREBY ORDERED:

I. When terms of supervised release are imposed by this Court in any criminal case, the general conditions of supervised release in each case shall be as follows:

- (A) the offender shall not commit another federal, state, or local crime during the term of supervised release;
- (B) the offender shall not leave the judicial district without obtaining permission from the probation officer;
- (C) the offender shall report to the probation officer as directed by the Court or the probation office and submit a truthful written monthly report within the first seven days of each month;
- (D) the offender shall permit a probation officer to visit him at his/her home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- (E) the offender shall answer inquiries by a probation officer and follow the instructions of the probation officer;
- (F) the offender shall notify the probation officer promptly of any changes in address or employment;

- (G) the offender shall notify the probation officer promptly if arrested or questioned by a law enforcement officer;
- (H) the offender shall maintain reasonable hours, shall associate only with law-abiding persons, and shall not associate with individuals with criminal felony records unless granted permission to do so by the probation officer;
- (I) the offender shall not possess a firearm, dangerous weapon, or destructive device;
- (J) the offender shall not purchase, possess, use, distribute, or administer any controlled substance, to include narcotics, marijuana, depressants or stimulants, or any paraphernalia related to the foregoing unless prescribed by a physician. The offender shall not frequent places where such drugs are illegally sold, dispensed, used, or given away. Neither shall the offender drink alcoholic beverages to excess;
- (K) the offender shall not enter into any agreement to act as an informer or special agent of any law enforcement agency;
- (L) as directed by the probation officer, the offender shall provide notification to third parties as to risks that may be occasioned by the offender's criminal record or personal characteristics, and shall permit the probation officer to make such notifications and to confirm the offender's compliance; and

- (M) the offender shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons.

The offender shall notify the probation officer immediately of any change in employment status to include job changes or being out of work.

II. In addition to the general conditions of supervised release imposed in criminal cases, the Court may impose such special conditions of supervised release as it deems necessary, including any condition that could be imposed as a condition of probation except the condition offender be placed in custody for intervals of time, which are reasonably related to:

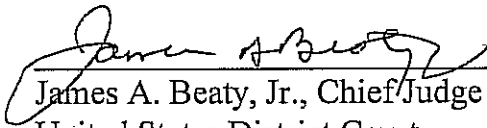
- (A) the nature and circumstances of the offense;
- (B) the history and characteristics of the offender;
- (C) the need to deter further criminal conduct; and
- (D) the need to provide the offender with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner.

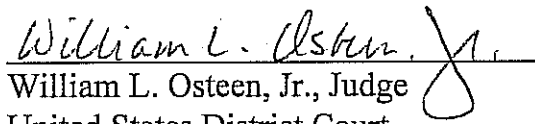
III. (A) The breach of any of the general conditions of supervised release shall be sufficient reason for revoking the order of supervised release and bringing the offender again before the Court for further judgment.

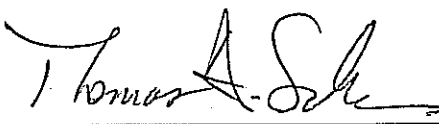
- (B) The breach of any special conditions or supervised release ordered by the Court shall likewise be sufficient reason for revoking the order of supervised release and bringing the offender again before the Court for further judgment.
- (C) The Court reserves the power, for cause or reason shown at any time during the period of supervised release, to revoke, change or modify any condition of supervised release;

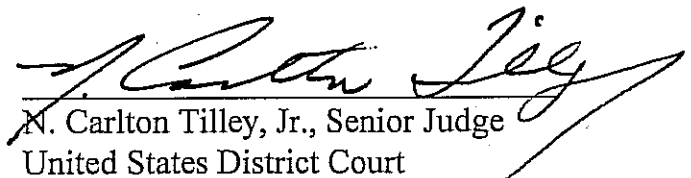
IT IS FURTHER ORDERED that this order shall be effective December 1, 2009.

This is the 1st day of October, 2009.

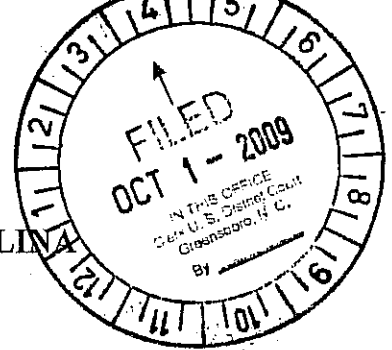

James A. Beaty, Jr., Chief Judge
United States District Court


William L. Osteen, Jr., Judge
United States District Court


Thomas D. Schroeder, Judge
United States District Court


N. Carlton Tilley, Jr., Senior Judge
United States District Court

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



MINIMUM REQUIREMENTS FOR)
REPORTING VIOLATIONS OF) AMENDED STANDING ORDER NO. 25
PROBATION AND SUPERVISED)
RELEASE)

Whereas effective November 1, 1990, the United States Sentencing Commission promulgated policy statements applicable to the revocation of probation and supervised release, in order to provide guidance while allowing for the identification of any substantive or procedural issues that require further review before specific revocation guidelines are established.

FOR GOOD CAUSE, appearing to the Court, and for the continuation of the orderly administration and supervision of probation and supervised release cases, IT IS NOW

ORDERED that the Court established certain minimum requirements for reporting violations of probation and supervised release consistent with the pertinent policy statements of the Sentencing Commission pursuant to 28 USC § 994(a) and consistent with provisions set forth in 18 USC § 3583 for supervised release, and in 18 USC § 3563 for probation; and further reasonably related to 18 USC § 3553, as detailed in the accompanying attachment, and described in Standing order 19 of this Court.

IT IS FURTHER ORDERED:

(a) That the breach of any of the conditions of probation and supervised release set forth in Standing Order 19 of this Court that meet the criteria now established in the

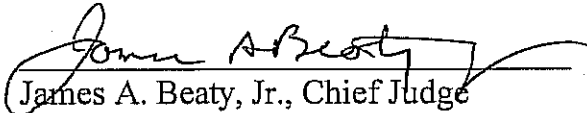
attached policy for minimum standards shall be sufficient reason for revoking the order of probation and/or supervised release and bringing the offender again before the Court for further judgment.

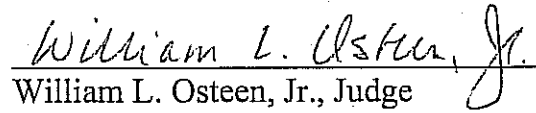
(b) That the U.S. Sentencing Commission in its policy statement has set forth categorizations of violations for probation and supervised release in three (3) broad classifications A, B and C ranging from new felony conduct to less serious criminal conduct and technical violations. As such, the Court further directs that upon an affirmed allegation by a U.S. Probation Officer of a Grade A or B violation, such violation shall be promptly reported to the Court. A Grade C violation must also be promptly reported to the Court unless the Probation Officer makes an affirmative determination that the alleged violation meets the criteria for non-reporting within just cause and reasonability as denoted in the attached minimum requirements as determined by the probation office and this Court.

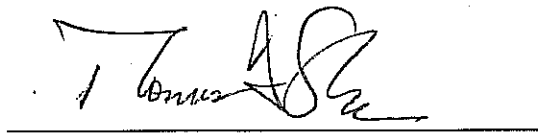
(c) In implementing these minimum requirements, it is ordered and adjudged that a violation report be furnished the defendant, defendant's attorney, the U.S. Attorney and the Court at least 14 days prior to the revocation hearing. This timetable contemplates that the aggrieved as well as all other parties will have adequate time before sentencing to prepare for the hearing.

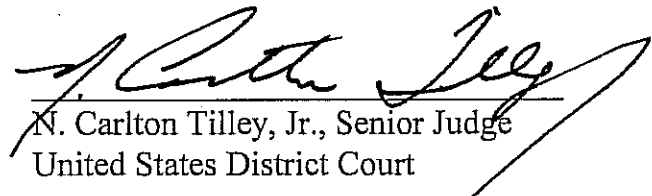
IT IS FURTHER ORDERED that this order shall be effective December 1, 2009.

This is the 1st day of October, 2009.


James A. Beaty, Jr., Chief Judge
United States District Court


William L. Osteen, Jr., Judge
United States District Court


Thomas D. Schroeder, Judge
United States District Court


N. Carlton Tilley, Jr., Senior Judge
United States District Court

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF NORTH CAROLINA

PROBATION OFFICE

WALTER BLACK, JR.
CHIEF PROBATION OFFICER

P.O. BOX 3327
GREENSBORO, N.C. 27402
(919) 333-5341

REPLY TO:

- () P.O. BOX 3327
GREENSBORO, N.C. 27402
- () P.O. BOX 108
DURHAM, N.C. 27702
- () P.O. BOX 1476
ROCKINGHAM, N.C. 28378
- () SUITE 140, YADKIN PLACE
202 N. LEE STREET
SALISBURY, N.C. 28144
- () SUITE 500 FEDERAL BUILDING
251 N. MAIN STREET
WINSTON-SALEM, N.C. 27101

December 20, 1990

The Honorable Richard C. Erwin, Chief Judge
United States District Court
251 North Main Street, Suite 223-A
Winston-Salem, North Carolina 27101

Dear Judge Erwin:

After careful deliberation and much consternation, we are presenting the attached documents as an interim plan for probation/supervised release supervision as a primary method to consider the recent U. S. Sentencing Commission policy statements. Please observe that the Commission issued only policy statements and as such they are not law and for the Court to be compliant, only judicial consideration of the policy statements is necessary before sentencing in a revocation matter.

Although there are small differences in probation and supervised release conditions, the Commission elected to develop a single set of policy statements for both. The Commission views the policy statements as the first step in an evolving process. Also, these policy statements should allow for greater flexibility in their initial application.

In our attempt to maintain a defined posture in the milieu of these ongoing changes, we have attempted to postulate a set of minimum standards to guide us in this evolutionary process. These standards are to help us absorb the impact of the policy statements and to some degree control our demands on the Court.

It is our feeling that these standards provide an encompassing aspect of our daily supervision needs. Presently, we use these standards in assessing our probation and parole clients and the policy statements are no more than an extension of our evaluative tools.

In the recently published policy statements, the Sentencing Commission directs that alleged Class A and B violators be promptly reported to the Court. Grade C violators are to be promptly reported unless the probation officer determines (1) that such violation is minor and not a part of a continuing pattern of violations and (2) non reporting will not present an undue risk to an individual or the public.

The Honorable Richard C. Erwin, Chief Judge
Page 2
December 20, 1990

The documents we are presenting to you are intended to give us a local policy in which we can operate. Hopefully, the Chief Probation Officer will reserve the responsibility of forwarding violations to the Court. The U. S. Probation Office will closely adhere to the criteria we are now presenting. The local criteria when combined with the Commission's policy recommendations will allow for the control of violation matters being constantly thrust upon the Court.

The proposed Standing Order is offered only as an interim measure to undergird our local criteria. Likewise, at the time specific guidelines are subsequently rendered by the Commission, we might only need to amend or update our Standing Order with only minor interruption.

Thanks for considering this proposal and should you need more details or information, please do not hesitate to contact us. We look forward to discussing this matter with you if necessary.

Sincerely,


WALTER BLACK, JR.

Chief U. S. Probation Officer

WB/br

Attachments:

1. Proposed Standing Order (Draft)
2. Proposed Minimum Requirements
3. Format for Informal Violation Report

VIOLATION REPORT

Name: _____

Judge: _____ Docket #: _____

Date Received: _____ Expiration Date: _____

NATURE OF VIOLATION(S) AND OFFICER'S EVIDENCE:

PREVIOUS VIOLATIONS REPORTED TO COURT:

Violation

NONE

Date Reported

ACTION RECOMMENDED BY OFFICER:

DECISION OF JUDGE: Agree with Officer's Recommendation

Take Following Action:

USPO DATE

SUSPO DATE

December 13, 1990

MIDDLE DISTRICT OF NORTH CAROLINA: Policy/Minimum requirements
for reporting violations

GRADE A VIOLATIONS - Mandatory report required:

Conduct constituting federal, state or local offense
punishable by a term of imprisonment exceeding twenty (20)
years.

Conduct constituting a federal, state or local offense
punishable by a term of imprisonment exceeding one (1) year
that (a) is a crime of violence, (b) is a controlled
substance, or (c) involves possession of a firearm or
destructive device described in 26USC5845(a).

GRADE B VIOLATIONS - Mandatory report required

Conduct constituting any other federal, state or local
offense punishable by a term of imprisonment exceeding one
year.

GRADE C VIOLATIONS - Mandatory report required:

1. Failure to report in person within ten (10) working days
of release from custody and whereabouts are unknown.
2. Arrest for any law violation (punishable by imprisonment
of one (1) year or less) if conduct involved violence,
firearms, controlled substances or DWI/DUI.
3. Absconder from supervision for more than 30 days.
4. Confirmed positive urinalysis.
5. Travel out of the District w/o authorization and failing
to return within fifteen (15) working days.
6. Restitution or fine in default.
7. Association with person(s) engaged in criminal activity
after being previously warned by PO.
8. Entering into an agreement to act as an informer or a
Special Agent of any law enforcement agency w/o
permission of the Court.
9. Failure to cooperatively participate in required CCC
program, or comply with court ordered sanctions of Home
Detention (to include electronic monitoring), or failure
to perform court ordered community service.

GRADE C VIOLATIONS - Mandatory report required if two (2) willful
violations occur within a six (6) month period:

GRADE C VIOLATIONS (continued)

1. Failure to comply with requirements of court ordered substance abuse treatment program.
2. Failure to comply with requirements of court ordered mental health treatment program.
3. Failure to comply with any other Special Condition denoting risk control and/or correctional treatment.
4. Any violation of the law constituting a federal, state or local offense punishable by a term of imprisonment of 1 year or less (other than those offenses involving violence, firearms, possession of controlled substance or DWI/DUI).
5. Association with a felon w/o permission of PO, and after being previously warned.
6. Leaving the District w/o permission of PO.
7. Failure to submit a urine specimen upon demand.

GRADE C VIOLATIONS - Mandatory report required if three (3) willful violations within twelve (12) month period:

1. Failure to submit a truthful and complete written report within first ten (10) days of month.
2. Failure to report as directed.
3. Failure to notify PO within 72 hours of being arrested or questioned by a law enforcement officer.
4. Failure to notify PO within 72 hours of any change in residence or employment.
5. Failure to work at, and /or maintain suitable employment.
6. Failure to support legal dependents or manage other family responsibilities.
7. Excessive use of alcohol.

(a combination of three (3) or more of the above violations occurring within a 12 month period will mandate a report).

wbjr