

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



REVOCATION HEARING SETTING)
) **STANDING ORDER 11**
)

For good cause, this Court adopts this Order relating to supervised release and probation revocation proceedings in criminal cases.

Petitions for warrants or summonses for offenders under supervision (Probation Form 12C) and all Supplemental Reports shall be filed electronically under seal by the Probation Office. Upon filing of an Order by a judge, a Petition and any Supplemental Report(s) will be available for access by the Office of the United States Attorney irrespective of whether they are sealed. Upon the service of any arrest warrant, summons, or writ related to a Petition, the Petition shall be unsealed while the Supplemental Report(s) shall remain sealed. The Petition and Supplemental Report(s) shall be made available to counsel for the defendant upon counsel's appointment or appearance in the case, irrespective whether the Supplemental Report(s) is sealed.

Unless ordered otherwise, the Court shall set revocation hearings as follows. In cases where the defendant was arrested by issuance of a warrant, the revocation hearing shall be set no earlier than 35 days following the detention hearing. In cases involving issuance of a summons, the revocation hearing shall be set no earlier than 35 days following the issuance of the summons. In cases where the defendant is in State custody and will appear by writ, the revocation hearing shall be set no earlier than 35 days following the

issuance of the writ.

If reason exists to believe a defendant who will appear for a revocation hearing pursuant to a summons or writ will require appointment of counsel, such appointment shall occur promptly, pending receipt of an affidavit of indigency, so that counsel may meet with the defendant in advance of the scheduled revocation hearing.

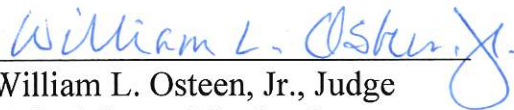
The Office of the United States Attorney shall file a notice of what violation(s) it does not intend to pursue at least 14 days in advance of the revocation hearing.

This Order shall be effective immediately.

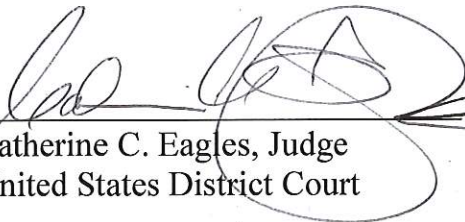
This the 30th day of January, 2019.



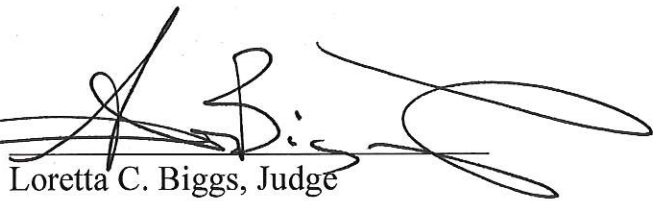
Thomas D. Schroeder, Chief Judge
United States District Court



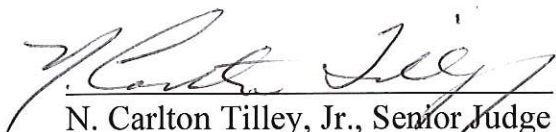
William L. Osteen, Jr., Judge
United States District Court



Catherine C. Eagles, Judge
United States District Court



Loretta C. Biggs, Judge
United States District Court



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