FILED
ASHEVILLE, N.C.
JAN 16 2008
U.S. DISTRICT COURT
W. DIST. OF N.C.

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA

IN RE:

REQUIREMENTS FOR OBJECTIONS AND/OR VARIANCES TO PRESENTENCE REPORTS IN THE ASHEVILLE AND BRYSON CITY DIVISIONS

DOCKET NO. MISC: 1:08mc2

ORDER

THIS MATTER is before the Court *sua sponte* to establish requirements for objections and/or variances to presentence reports. Notice is hereby given to the United States and to criminal defense attorneys:

1. Objections or challenges, or a request for variances to presentence reports, must be in writing and must be filed within 14 days of receipt of the presentence report.

2. Each objection or challenge, or request for a variance, shall specify the page and paragraph of the presentence report to which such objection or challenge applies.

3. Each objection or challenge, or request for a variance, shall include a proposed amendment or modification to the language of the relevant paragraph of the presentence report. Such proposed amendment shall include the entire paragraph as it would be amended or modified should the objection, challenge or variance be allowed.

4. Each objection or challenge, or request for a variance, shall include a statement as to how the calculations of offense level and/or criminal history of the defendant will be affected in the objection, challenge or variance is allowed.

5. A summary shall be included showing the changes in total offense level, criminal history, and guideline ranges for imprisonment and fines.

6. The Probation Office of this Court shall provide a copy of this order to all parties upon entry of a guilty plea or verdict.

ORDERED this 14th day of January, 2008.

LACY H. THORNBURG
United States District Court Judge