

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Case / Violation No.: _____

UNITED STATES OF AMERICA,

Plaintiff,

v.

Defendant.

STIPULATION FOR ENTRY OF DEFERRAL OF PROSECUTION

1. The Government will not prosecute this case for a period of _____ months, i.e., until _____ . Failure to comply with any terms of this agreement will result in the Government filing a written motion reinstating charges; however, if Defendant has complied with the terms stated below, the case will be dismissed and Defendant will not need to appear in court.
2. Defendant understands that pursuant to the provisions of Chapter 208 of Title 18, United States Code, s/he has a right to the speedy filing of an information and trial. Defendant further understands that if the Court accepts this stipulation for deferral of prosecution that the deadlines stated in the aforementioned chapter will not apply as 18 U.S.C. §3161(h)(2) excludes from such computations “[a]ny period of delay during which prosecution is deferred by the attorney for the Government pursuant to written agreement with the Defendant, with the approval of the court, for the purpose of allowing the defendant to demonstrate his good conduct.”
3. Defendant will not violate any federal, state, or local law, excluding minor infractions which did not result in a mandatory court appearance. The Government reserves the right to move to reinstate charges abased on new charges against Defendant and does not require a finding of guilt on the new charges.
4. Conditions: _____

5. Defendant will complete the following through: _____

- | | |
|--|--|
| <input type="checkbox"/> Petty Theft Class | <input type="checkbox"/> Anger Management |
| <input type="checkbox"/> Level I Drug & Alcohol Awareness (ASAP will be accepted) | <input type="checkbox"/> Parenting Class |
| <input type="checkbox"/> Level II D&AA | <input type="checkbox"/> Prevention & Relationship Enhancement Program for Couples |
| | <input type="checkbox"/> Domestic Violence Class |

6. Defendant will complete the following through: _____

- | | |
|--|--|
| <input type="checkbox"/> Anger Management | <input type="checkbox"/> Restoring Healthy Relationships |
| <input type="checkbox"/> Scream-free Parenting | <input type="checkbox"/> Scream-free Marriage |

7. Community Service through: _____

_____ hours Army Community Services (ACS) is acceptable when permitted.

8. Defendant must provide PROOF OF COMPLIANCE with the terms of this agreement as well as NOTICE OF ANY CHANGE OF ADDRESS or TELEPHONE NUMBER to the following:

- | | |
|--|---|
| <input type="checkbox"/> Office of the Staff Judge Advocate Attn: Magistrate Court Clerk 1633 Mekong Ave., Bldg., 6222 Fort Carson, CO 80913 Telephone: (719) 526-0055 Fax (719) 526-1357 | <input type="checkbox"/> Office of the Staff Judge Advocate Attn: Magistrate Court Clerk 8034 Edgerton Drive, Ste., 237 USAF Academy, CO 80840 |
|--|---|

- | | |
|--|---|
| <input type="checkbox"/> United States Attorney's Office 1225 17 th Street, Ste., 700 Denver, CO 80202 Attn: _____ | <input type="checkbox"/> Buckley Airforce Base 460 SW/JA 510 South Aspen Street, Ste., 230 Buckley AFB, CO 80011 Attn: _____ Fax: (720) 847-6934 |
|--|---|

Dated: _____

JOHN WALSH
United States Attorney

By: _____

Special Assistant US Attorney

Dated: _____

Defendant or Defense Counsel

Address

City/State/Zip

Telephone

ORDER

This deferral of prosecution is hereby accepted by the Court. The Court further finds that pursuant to 18 U.S.C. §3161(h)(2) that the period of delay outline in this stipulation is excluded in computing the time within which an information must be filed or in computing the time within which the trial of an offense relating to this matter must commence. IT IS SO ORDERED.

Dated: _____

UNITED STATES DISTRICT COURT

By:

United States Magistrate Judge