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

 / Loc. Code: Case / Violation No.:

UNITED STATES OF AMERICA,

Plaintiff,

v.

Defendant.

**STIPULATION FOR ENTRY OF DEFERRAL OF PROSECUTION**

**(PETTY OFFENSE)**

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.

1. 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.”
2. 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.
3. Conditions:
4. Defendant will complete the following through:

|  |  |  |  |
| --- | --- | --- | --- |
|   | Petty Theft Class |   | Anger Management |
|    | Level I Drug & Alcohol Awareness(ASAP will be accepted)Level II D&AA |     | Parenting ClassPrevention & Relationship Enhancement Program for CouplesDomestic Violence Class |
|   | Scream-free Marriage |   | Restoring Healthy Relationships |
|   | Scream-free Parenting |  |  |

1. Community Service through:

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

1. 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:

|  |  |  |  |
| --- | --- | --- | --- |
|   | Office of the Staff Judge AdvocateAttn: Magistrate Court Clerk |   | Office of the Staff Judge AdvocateAttn: Magistrate Court Clerk |
|  | 1633 Mekong Ave., Bldg., 6222 |  | 2304 Cadet Drive, Suite 2100 |
|  | Fort Carson, CO 80913 |  | USAF Academy, CO 80840 |
|  | Telephone: (719) 526-0055 |  | Telephone: (719) 333-3920 |
|  | Fax: (719) 526-1357 |  | Fax: (719) 333-3644 |
|   | United States Attorney’s Office 1801 California St., Ste. 1600, |   | Buckley Air Force Base 460 SW/JA |
|  | Denver, CO 80202 |  | 510 South Aspen Street, Ste., 230 |
|  | Attn:  |  | Buckley AFB, CO 80011 |
|  | Telephone: (303) 454-0100 |  | Attn:  |
|  | Fax: (303) 454-0406 |  | Telephone: (720) 847-6970 |
|  |  |  | Fax: (720) 847-6934 |

Dated: Dated:

JASON R. DUNN - United States Attorney

Defendant’s Signature

By:

 Special Assistant U.S. Attorney

Defendant’s Address

 City,Stae,Zip Code

Telephone Number

# 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