

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

**IN THE MATTER OF
ACCESSING PSR-RELATED
DOCUMENTS**

AMENDED GENERAL ORDER 2010-3

**ORDER GOVERNING THE FILING OF AND ACCESSIBILITY TO OBJECTIONS TO
PRESENTENCE REPORTS AND MOTIONS FOR SENTENCE DEPARTURES AND
VARIANCES**

Presentence reports and related addenda are filed and served electronically via the CM/ECF system of the court. This order is entered to govern the filing, serving, and viewing of objections to presentence reports under Fed. R. Crim. P. 32, motions for departures under USSG Chapters Four and Five, and motions for variance under 18 U.S.C. § 3553(a).

IT IS ORDERED as follows:

1. That objections to a presentence report under Fed. R. Crim. P. 32(f) shall be filed electronically;
2. That a motion for an upward or downward departure under USSG Chapters Four or Five shall be filed as prescribed by the Local Rules of Practice of the United States District Court for the District of Colorado-Criminal and, thus, may be accessed and viewed by the court, the probation officer, the parties, and the public;
3. That a motion for a sentence variance under 18 U.S.C. 3553(a) shall be filed as prescribed by the Local Rules of Practice of the United States District Court for the District of Colorado-Criminal and, thus, may be accessed and viewed by the court, the probation officer, the parties, and the public;
4. That an objection to a presentence report, a motion for a departure, or a motion for a variance may be filed ex parte only with leave of the sentencing court;
5. That an objection to a presentence report, a motion for a departure, or a motion for a variance may be filed under seal only if the requirements of D.C.COLO.LCrR 47.1 are satisfied;
6. That objections to a presentence report shall not be included in or combined with a motion for a departure or a motion for a variance; and

7. That this General Order shall take effect on the 20th of January, 2011.

Dated this 19th of January, 2011, at Denver, Colorado.

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel, Chief Judge