IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

FILED
U.S. DISTRICT COURT
CEDAR RAPIDS HDQTRS OFFICE
NORTHERN DISTRICT OF IOWA

FEB 01 2005

By _____
DEPUTY

IN THE MATTER OF SENTENCINGS UNDER *UNITED STATES v. BOOKER,* 2005 WL 50108 (Jan. 12, 2005)

ADMINISTRATIVE ORDER NO.

05-AO-0002

In order to assist lawyers prosecuting and defending criminal cases in the United States District Court for the Northern District of Iowa, the judges of the district enter the following administrative order:

1. Where there are contested advisory United States Sentencing Guidelines issues the judges will follow the prior procedure of determining contested guideline issue facts by a preponderance of the evidence standard without a jury.

2. If a party wants the court to depart, either upward or downward, from the advisory United States Sentencing Guidelines range using traditional departure theory, then a motion should be filed accompanied by a brief.

3. If a party wants the court to vary, either upward or downward, from the advisory guideline range, on grounds other than traditional departure theory, then such a motion should be filed accompanied by a brief.

4. All such motions and briefs, subject to this order, shall be filed at least seven days prior to the scheduled sentencing. Late requests for departures or variances from the advisory United States Sentencing Guidelines may be denied by the court as untimely.

05-AO-0002

IT IS SO ORDERED.

DATED this 15T day of February, 2005

MARK W. BENNETT
CHIEF JUDGE, U. S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

LINDA R. READE
U. S. DISTRICT COURT JUDGE
NORTHERN DISTRICT OF IOWA

DONALD E. O'BRIEN
SENIOR JUDGE
NORTHERN DISTRICT OF IOWA

JUDGE JOHN A. JARVEY
CHIEF U.S. MAGISTRATE JUDGE
NORTHERN DISTRICT OF IOWA

PAUL A. ZOSS
U.S. MAGISTRATE JUDGE
NORTHERN DISTRICT OF IOWA