

ORIGINAL

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

IN THE MATTER OF) MOTION
FORFEITURE OF COLLATERAL SCHEDULE)

The United States of America, by Thomas B. Heffelfinger, United States Attorney, and Paul A. Murphy, Assistant United States Attorney, Chief of Criminal Division, moves the Court to approve the attached revised Forfeiture of Collateral Schedule.

The United States Department of Veterans Affairs (VA) submits a proposal for a revised Forfeiture of Collateral Schedule for the violation of rules and regulations promulgated under 28 C.F.R. 1.218 for VA facilities located in Minnesota. The United States moves that pursuant to the Rule of Procedure for the Trial of Minor Offenses before United States Magistrate Judges and the General Rules of this Court, all previously entered orders regarding the Forfeiture of Collateral Schedule for VA offenses under 38 C.F.R. 1.218 be and are hereby vacated.

The United States of America moves that persons charged with violating an offense listed in the attached Forfeiture of Collateral Schedule for VA offenses may, in lieu of appearance, post collateral in the amount indicated for the offense and

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RICHARD D. SLETTEN, CLERK
JUDGMENT ENTD _____
DEPUTY CLERK _____

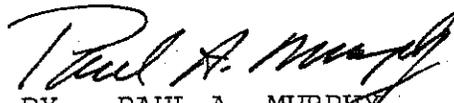
consent to forfeiture of collateral and make mandatory appearances as indicated.

The United States of America moves the Court that its order take effect as 12:01 a.m. on a date set by the Court.

Dated: 11/14/01

Respectfully submitted,

THOMAS B. HEFFELFINGER
United States Attorney



BY: PAUL A. MURPHY
Assistant United States Attorney
Attorney ID No. 154325

VI. RELATING TO U.S. DEPARTMENT OF VETERANS AFFAIRS

MANAGEMENT REGULATIONS (38 C.F.R. 1.218)

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
1.218(b)(1)	Improper disposal of rubbish on property	\$ 200.00
1.218(b)(2)	Spitting on property	\$ 25.00
1.218(b) (3)	Throwing of articles from a building or the unauthorized climbing upon any part of a building	\$ 50.00
1.218(b)(4)	Willful destruction, damage or removal of Government property without authorization	Ten times the retail or restoration cost of the property stolen or damaged up to a maximum of \$500.00
1.218(b)(5)	Defacement, destruction, mutilation or injury, to, or removal, or disturbance of, gravemarker or headstone	\$ 500.00
1.218(b) (6)	Failure to comply with signs of a directive and restrictive nature posted for safety purposes	\$ 50 .00
1.218(b) (7)	Tampering with, removal, marring, or destruction of posted signs	\$ 150.00
1.218(b)(8)	Entry into areas posted as closed to the public or others (trespass)	\$ 50.00
1.218(b)(9)	Unauthorized demonstration or service in a national cemetery or on other VA property	\$ 250.00
1.218(b)(10)	Creating a disturbance during a burial ceremony	\$ 250.00
1 .218(b)(11)	Disorderly conduct which creates loud, boisterous, and unusual noise, or which obstructs the normal use of entrances, exits, foyers, offices, corridors, elevators, and stairways or which tends to impede or prevent the normal operation of a service or operation of the facility	\$ 250.00
1.218(b)(12)	Failure to depart premises by unauthorized persons	\$ 50.00
1 .218(b)(13)	Unauthorized loitering, sleeping or assembly on property	\$ 50.00

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
1.218(b)(14)	Gambling-participating in games of chance for monetary gain or personal property; the operation of gambling devices, a pool or lottery; or the taking or giving of bets	\$ 200.00
1.218(b)(15)	Operation of a vehicle under the influence of alcoholic beverages or nonprescribed narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines	Mandatory Appearance
1.218(b)(16)	Entering premises under the influence of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines	\$ 200.00
1.218(b)(17)	Unauthorized use on property of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines	\$ 300.00
1.218(b)(18)	Unauthorized introduction on VA controlled property of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines or the unauthorized giving of same to a patient or beneficiary	\$ 500.00
1.218(b)(19)	Unauthorized solicitation of alms and contributions on premises	\$ 50.00
1.218(b)(20)	Commercial soliciting or vending, or the collection of private debts on property	\$ 50.00
1.218(b)(21)	Distribution of pamphlets, handbills, and flyers	\$ 25.00
1.218(b)(22)	Display of placards or posting of material on property	\$ 25.00
1.218(b)(23)	Unauthorized photography on premises	\$ 50.00
1.218(b)(24)	Failure to comply with traffic directions of VA police	\$ 25.00
1.218(b)(25)	Parking in spaces posted as reserved for physically disabled persons	\$ 50.00
1.218(b)(26)	Parking in no-parking areas, lanes or crosswalks so posted or marked by yellow borders or yellow stripes	\$ 25.00
1.218(b)(27)	Parking in emergency vehicle spaces, areas and lanes bordered in red or posted as EMERGENCY VEHICLES ONLY or FIRE LANE, or parking within 15 feet of a fire hydrant	\$ 50.00

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
1.218(b)(28)	Parking within an intersection or blocking a posted vehicle entrance or posted exit lane	\$ 25.00
1.218(b)(29)	Parking in spaces posted as reserved or in excess of a posted time limit	\$ 15.00
1.218(b)(30)	Failing to come to a complete stop at a STOP sign	\$ 25.00
1.218(b)(31)	Failing to yield to a pedestrian in a marked and posted crosswalk	\$ 25.00
1.218(b)(32)	Driving in the wrong direction on a posted one-way street	\$ 25.00
1.218(b)(33)	Operation of a vehicle in a reckless or unsafe manner, too fast for conditions, drag racing, overriding curbs, or leaving the road way	\$100.00
1.218(b)(34)	Exceeding posted speed limits:	
(i)	By up to 10 mph	\$ 25.00
(ii)	By up to 20 mph	\$ 50.00
(iii)	By over 20 mph	\$100.00
1.218(b)(35)	Creating excessive noise in a hospital or cemetery zone by muffler cut out, excessive use of a horn, or other means	\$ 50.00
1.218(b)(36)	Failure to yield right of way to other vehicles	\$ 50.00
1.218(b)(37)	Possession of firearms, carried either openly or concealed, whether loaded or unloaded except by Federal or State law enforcement officers on official business	\$ 500.00
1.218(b)(38)	Introduction or possession of explosives, or explosive devices which fire a projectile, ammunition, or combustibles	Mandatory Appearance
1.218(b)(39)	Possession of knives which exceed a blade length of 3 inches; switchblade knives; any of the variety of hatchets, clubs and held-held weapons; or brass knuckles	\$300.00
1.218(b)(40)	The unauthorized possession of any of the variety of incapacitating liquid or gas-emitting weapons	\$ 200.00
1.218(b)(41)	Unauthorized possession, manufacture, or use of keys or barrier card-type keys to roans or areas on the property	\$ 200.00

<u>Section Number</u>	<u>Offense</u>	<u>Collateral</u>
1.218(b)(42)	The surreptitious opening, or attempted opening, of locks or card-operated barrier mechanisms on property	\$500.00
1.218(b)(43)	Soliciting for, or the act of, prostitution	\$250.00
1.218(b)(44)	Any unlawful sexual activity	\$250.00
1.218(b)(45)	Jogging, bicycling, sledding or any recreational physical activity conducted on cemetery grounds	\$ 50.00



U.S. Department of Justice

United States Attorney
District of Minnesota

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300 South Fourth Street
Minneapolis, MN 55415
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(612)664-5600

November 14, 2001

The Honorable Franklin L. Noel
Chief United States Magistrate Judge
9W U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

Re: Department of Veterans Affairs Forfeiture of Collateral
Schedule

Dear Magistrate Judge Noel:

Enclosed for your and the other Magistrate's consideration,
please find an the original Motion and Order concerning the above-
referenced matter.

Sincerely,

THOMAS B. HEFFELFINGER
United States Attorney

PAUL A. MURPHY
Assistant United States Attorney

PAM:dsk
Encl.

