

John R Houston/ILSF/07/FDO

03/20/2009 10:21 AM

To

cc

bcc

Subject Fw: Clarification on Form 13-D Requirement

Thomas

Galbraith/ILSD/07/USCOURTS@USCOURTS

03/04/2009 03:48 PM

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cc ILSDml_All Judges, Keenan Casady/ILSD/07/USCOURTS@USCOURTS, Phyllis Nelson/ILSP/07/USCOURTS@USCOURTS, Justine Flanagan/ILSD/07/USCOURTS@USCOURTS, Barbra Zarrick/ILSP/07/USCOURTS@USCOURTS, John Koechner/ILSP/07/USCOURTS@USCOURTS

Subject Clarification on Form 13-D Requirement

Since the inception of the Probation office directly e-filing the PSR via CM/ECF, there has been some confusion about the subsequent requirement of the Form 13-D.

The Probation Form 13-D was sent to the government and defense upon completion of the PSR (prior to e-filing). The form acknowledges that the parties have read and understand this notice. In addition, it acknowledges that they have read the PSR and either accept the PSR as is or they notify (it's a check box) that they will file written objections within 14 days after receiving the PSR. When a PSR is now e-filed, CM/ECF automatically notifies the parties that they have 14 days to file objections and it is assumed that all parties have access to the PSR at that moment of filing, thus no acknowledgement is necessary.

Therefore, the Probation office will not submit 13-D's to the government and defense, and neither of those parties need to return acknowledgement back to the Probation office. This issue was approved by the Judges during the implementation of this initiative.

Please do not hesitate if there are any questions or confusion on this matter.

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