

United States District Court  
Southern District of Texas  
ENTERED

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS

MAR 23 2001

Michael N. Milby, Clerk  
By Deputy: *Joyce Hutcherson*

IN RE:

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FORFEITURE OF COLLATERAL

GENERAL ORDER NO. 2001- 2

SCHEDULES

ORDER

On motion of the United States Attorney's Office and after full discussion, the Court ADOPTS the attached revisions and amendments to its Schedules Providing for Forfeiture of Collateral in Lieu of Appearance, as provided in Rule 58(d)(1), Fed. R. Crim. P. This Order applies to the following schedules:

- Exhibit C --Schedule for Fish and Wildlife Service
- Exhibit E-1 --Schedule for Water Resources Development Projects
- Exhibit E-2 --Schedule for Duck Blind Permits at Wallisville Lake Project
- Exhibit F --Schedule for GSA Property

Any schedules not specifically amended and revised by this Order remain in full force and effect.

Signed at Laredo, Texas, effective March 23, 2001.

*George P. Kazen*  
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 George P. Kazen  
 Chief United States District Judge

**EXHIBIT E-1**

**Collateral Forfeiture Schedule for  
Water Resources Development Projects Administered by  
Chief of Engineers of the U.S. Army Corps of Engineers  
Title 36, Part 327, Code of Federal Regulations  
(MAY 2000)**

**GENERAL INSTRUCTIONS**

- 1) Those offenses designated "\*" in the collateral forfeiture schedule require a mandatory appearance.
- 2) All offenses arising from an accident causing personal injury or death require a mandatory appearance.
- 3) Any other offense with a dollar amount listed may be paid by a collateral forfeiture.
- 4) All felony cases must be submitted to the U.S. Attorney's Office.

| <u>SECTION</u> | <u>OFFENSE</u>   | <u>FINE</u> |
|----------------|--|-------------|
| 327.1(d)       | Discrimination against any person                                | *           |
| 327.2(b)       | Parking in violation of posted restrictions                      | \$ 35       |
|                | Parking to obstruct, impede or endanger                          | \$ 50       |
| (c)            | Operation/parking vehicle off roadway                            | \$ 50       |
|                | Vehicle beyond fence, barricade, etc.                            | \$ 75       |
| (d)            | Operation of vehicle contrary to posted restrictions             | \$ 50       |
| (e)            | Operation of vehicle in careless, negligent or reckless manner   | \$100       |
| (f)            | Operation of vehicle for purposes other than to enter or leave   | \$ 50       |
| (g)            | Operation of motorized vehicle without effective exhaust muffler | \$ 75       |
| 327.3(b)       | Placement/operation of vessel for fee                            | \$100       |

| <u>SECTION</u> | <u>OFFENSE</u>  | <u>FINE</u> |
|----------------|---|-------------|
| (c)            | Operation of vessel in prohibited area  | \$100       |
|                | Operation of vessel contrary to posted regulations  | \$100       |
|                | Failure to display required vessel registration   | \$ 50       |
| (d)            | Operation of vessel in careless, negligent,<br>or reckless manner   | \$100       |
| (e)            | Operation of vessel without required<br>safety equipment  | \$ 75       |
| (f)            | Use of vessel for habitation, residence or<br>overnight occupancy not incidental to<br>recreational boating | \$200       |
| (g)            | Use of water ski or similar device in careless,<br>negligent or reckless manner                             | \$100       |
| (h)            | Unauthorized attachment or anchoring of vessel  | \$50        |
|                | Failure to remove vessel not in use   | \$100       |
|                | Placement of mooring facility where prohibited  | \$100       |
| (i)            | Use of vessel not constructed or maintained in<br>compliance with safety standards                          | \$100       |
| (j)            | Operation of vessel without proper and<br>effective muffler   | \$100       |
| 327.4(b)       | Aircraft operation at undesignated location   | *           |
| (c)            | Operation of aircraft in a careless, negligent<br>or reckless manner  | *           |
| (e)            | Air delivery or retrieval onto or from project<br>lands or water  | \$100       |
| (f)2           | Seaplane operation contrary to established<br>prohibitions or restrictions                                  | \$100       |
| (f)3           | Seaplane operation contrary to marine rules<br>of the road  | \$ 75       |

| <u>SECTION</u> | <u>OFFENSE</u>  | <u>FINE</u> |
|----------------|---|-------------|
| (f)4           | Improper mooring of seaplane                                  | \$100       |
| (f)5           | Unauthorized commercial seaplane operation                    | \$200       |
| (f)6           | Seaplane operation between sunset and sunrise                 | \$150       |
| 327.5(a)       | Swimming, wading, snorkeling or scuba diving where prohibited | \$ 75       |
| (b)            | Failure to display diving flag                                | \$ 50       |
| (c)            | Diving, jumping or swinging from prohibited structure         | \$ 75       |
| 327.6          | Picnicking or day-use where prohibited                        | \$ 50       |
| 327.7(a)       | Camping in non-designated area                                | \$ 75       |
| (b)            | Camping longer than 14 days                                   | \$ 75       |
| (c)            | Unauthorized reservation of campsite                          | \$ 75       |
| (d)            | Digging ground or constructing unauthorized structure         | \$ 50       |
| (e)            | Occupying campsite posted "reserved"                          | \$ 75       |
| 327.8(a)       | Hunting where or when prohibited                              | \$100       |
| (b)            | Trapping where or when prohibited                             | \$100       |
| (c)            | Fishing where prohibited                                      | \$ 75       |
| (d)            | Failure to observe established restrictions                   | \$ 75       |
| 327.9(a)       | Improper disposal of waste                                    | \$ 75       |
| (b)            | Bringing garbage, trash, etc., onto project                   | \$100       |
| (c)            | Spilling or other discharge onto project lands or waters      | \$100       |
| (d)            | Failure to keep site free of trash                            | \$ 50       |

| <u>SECTION</u> | <u>OFFENSE</u>  | <u>FINE</u> |
|----------------|---|-------------|
| (e)            | Discharge of waste from vessel or water craft             | \$100       |
| 327.10(a)      | Improper storage of fuel                                  | \$ 75       |
| (b)            | Fire not in designated facility                           | \$ 75       |
|                | Fire left unattended                                      | \$ 75       |
|                | Producing toxic fumes                                     | \$ 75       |
|                | Open burning where/when prohibited                        | \$100       |
| (c)            | Improper disposal of lighted smoking materials            | \$ 50       |
| 327.11(a)      | Pet not on leash or not restrained                        | \$ 75       |
|                | Pet allowed to impede or restrict public use              | \$100       |
|                | Pet allowed to create noise disturbance                   | \$ 75       |
|                | Animal in prohibited facility or location                 | \$ 75       |
|                | Abandoning animal on project                              | \$100       |
| (b)            | Failure to clean up animal waste                          | \$ 50       |
| (c)            | Bringing livestock into recreation area                   | \$ 75       |
| (d)            | Unauthorized livestock on project                         | \$100       |
| (g)            | Wild or exotic pet or animal brought on to project        | \$100       |
| 327.12(a)      | Failure to observe posted restrictions                    | \$ 75       |
| (b)            | Failure to observe quiet hours                            | \$100       |
| (c)            | Act or conduct interfering with or impeding public use    | \$ 75       |
| (d)            | Sound producing equipment                                 | \$ 75       |
| (f)            | Smoking where prohibited                                  | \$ 35       |
| 327. 13(a)     | Possession of loaded firearm, ammunition, or other weapon | \$100       |
| (b)            | Possession of explosives or explosive devices             | *           |
|                | Possession of fireworks or pyrotechnics                   | \$ 75       |

| <u>SECTION</u> | <u>OFFENSE</u>  | <u>FINE</u> |
|----------------|---|-------------|
| 327.14(a)      | Destruction, injury, defacement or removal of public property | \$100       |
| (b)            | Cutting, gathering or removal of trees or wood                | \$ 75       |
| (c)            | Gathering dead wood where prohibited                          | \$ 50       |
| 327.15(a)      | Abandonment of personal property                              | \$100       |
| 327.17         | Unauthorized advertisement                                    | \$ 75       |
|                | Violation of terms and conditions of permit                   | \$150       |
| 327.18(a)      | Unauthorized commercial activity                              | \$100       |
| (b)            | Failure to comply with commercial lease, license or agreement | \$100       |
| 327.19(a)      | Failure to comply with terms or conditions of permit          | \$100       |
| (e)            | Failure to comply with conditions of Shoreline Use Permit     | \$100       |
| 327.20         | Unauthorized structure  | \$100       |
| 327.21         | Unauthorized special event                                    | \$100       |
| 327.22(a)      | Unauthorized occupation of project                            | \$100       |
| (b)            | Unauthorized agricultural use                                 | \$100       |
| 327.23(b)      | Failure to pay use fee  | \$ 75       |
| (c)            | Failure to pay day-use fee/display receipt permit or pass     | \$ 50       |
| (d)            | Fraudulent use of Golden Age/Golden Access Passport           | \$100       |
| 327.24(a)      | Interference with Federal Employee                            | *           |
| (b)            | Failure to comply with lawful order                           | \$150       |
|                | Failure to provide correct identification information         | \$100       |