ENTERED
DEC 2 2 2005
TERESA L. DEPPNER, CLERK
U.S. District [redacted] Court
Southern District of West Virginia

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

STANDING ORDER RE: THE STATEMENT OF REASONS FOR USE IN REPORTING SENTENCING DECISIONS

Due to Judicial Conference policies placing restrictions on public access to the Statement of Reasons form to protect the safety of defendants, the Statement of Reasons is not a public document while the Judgment in a Criminal Case is, unless specifically sealed by the Court. Therefore, the Clerk is directed to SEAL the Statement of Reasons in all criminal cases before this Court and shall forward a SEALED copy to counsel of record and to the Probation Office in this District. The Probation Office shall forward the Statement of Reasons to the United States Sentencing Commission and the Bureau of Prisons.

The Probation Office is further directed to make the sealed Statement of Reasons an attachment to, and part of, any copy of the Presentence report made available to the Bureau of Prisons, the Fourth Circuit Court of Appeals and appellate counsel for the defendant.

In addition, the Probation Officer is authorized to forward a copy of the Statement of Reasons to counsel in revocation proceedings upon request and without further order of the Court. The copy of the Statement of Reasons shall be used by counsel for the purpose of the revocation proceeding only.

This Standing Order supersedes the Standing Order Re: The Statement of Reasons for Use in Reporting Sentencing Decisions entered December 1, 2005.

The Court directs the Clerk to publish this Standing Order on the court's external website and to send a copy of this Order to the United States Attorney, the United States Chief Probation Officer, the Federal Public Defender, and the United States Marshal's Service.

ENTER: December 22, 2005

DAVID A. FABER, CHIEF JUDGE

JOHN T. COPENHAVER, JR., JUDGE

JOSEPH R. GOODWIN, JUDGE

ROBERT C. CHAMBERS, JUDGE