

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

IN THE MATTER OF:
NEW LAW VIOLATIONS IN PETITIONS
TO REVOKE SUPERVISED RELEASE

25-MC-00004-01

STANDING ORDER

WHEREAS, when a sentencing court imposes a term of supervised release, it “shall order, as an explicit condition . . . that the defendant not commit another Federal, State, or local crime during the term of supervision,” (18 U.S.C. § 3583(d)), and

WHEREAS, the sentencing court has the authority to modify, revoke, or extend a supervised release term upon a violation of that condition (18 U.S.C. § 3583(e)), and

WHEREAS, the United States Attorney for the District of New Mexico has promulgated a policy that his office will seek dismissal of all petitions filed without his concurrence and alleging only a violation of that condition,

THE COURT FINDS that good cause exists to adopt procedures governing the dismissal of petitions alleging violations of such condition.

THEREFORE, IT IS HEREBY ORDERED that, in the case of all petitions filed in this District by the United States Probation Office alleging a violation of supervised release on the basis of the commission of a new crime, any motion for dismissal of that petition shall be made in writing and may be granted only by the United States District Judge assigned to the case (or his/her designee).

IT IS FURTHER ORDERED that, with respect to such petitions, if the Assistant United States Attorney declines to conduct any preliminary hearing required by statute or rule, this Court directs the presiding United States Magistrate Judge to conduct the questioning of the United States Probation Officer to determine whether probable cause

exists, and whether detention or conditions of release are appropriate under the applicable standard.

IT IS FURTHER ORDERED that this Order shall lapse should the United States Attorney for the District of New Mexico vacate its policy as expressed in his letter of June 27, 2023.

DONE this 9th day of January, 2025.

FOR THE COURT¹:

/s/ _____

WILLIAM P. JOHNSON
CHIEF UNITED STATES DISTRICT JUDGE

¹ For the court, pursuant to Administrative Order Misc. No. 83-252

Notices

[1:25-mc-00004 Administrative Orders](#)

U.S. District Court

United States District Court - District of New Mexico

Notice of Electronic Filing

The following transaction was entered on 1/9/2025 at 2:37 PM MST and filed on 1/9/2025

Case Name: Administrative Orders

Case Number: [1:25-mc-00004](#)

Filer:

Document Number: [1](#)

Docket Text:

STANDING ORDER: In the Matter of New Law Violations in Petitions to Revoke Supervised Release (cg)

1:25-mc-00004 Notice has been electronically mailed to:

1:25-mc-00004 Notice has been delivered by fax to:

1:25-mc-00004 Notice has been delivered by USPS to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1167529506 [Date=1/9/2025] [FileNumber=13464815-0]
][27c25c706f7d5ceaafec596901805cf635d45563b4e6dee28eba5fed4fb8ba728f0
6ba7245e20d2ddf4b16d5640e87858d402f468b65181f9f6e6a5ea2898a17]]