

**HONORABLE ALLISON H. GODDARD
U.S. MAGISTRATE JUDGE
CRIMINAL PRETRIAL PROCEDURES**

Please Note: The Court provides this information for general guidance to counsel. The Court may vary these procedures as appropriate in any case. Counsel are expected to comply with the Court's Local Rules.

Inquiries on Criminal Matters

Judge Goddard's Courtroom Deputy, Trina Lee, handles all inquiries on criminal matters. Her telephone number is **(619) 557-7749**.

The Court's Schedule During Criminal Duty Week

During duty week the Court begins receiving new complaints and warrants in chambers at 9:00 a.m. More specific instructions for agents are posted on the Chambers door. Unless otherwise noted, morning calendar begins at 10:30 a.m. and 2:00 p.m on Mondays and 2:00 PM on Tuesdays through Fridays.

Criminal Calendar

Criminal calendars are heard on Tuesdays and Thursdays at 9:30 a.m. Counsel are expected to be punctual and check in with the Courtroom Deputy 15 minutes prior to the commencement of the calendar. Counsel should advise the Courtroom Deputy of any scheduling conflicts in advance of the hearing.

Plea Documents:

Counsel shall have the written consent to Rule 11 Plea form signed by their client prior to the scheduled hearing. Original Plea agreements shall be submitted to the 12th floor Clerk's Office **2 days** prior to the hearing. If not timely submitted and absent extraordinary circumstances, the change of plea will be taken off calendar and rescheduled.

Arraignments on Informations:

Counsel shall have the written Waiver of Indictment signed by their client prior to the scheduled hearing and shall provide it to the Courtroom Deputy prior to the commencement of the calendar.

Waiver of Preliminary Hearing:

A Waiver of Preliminary Hearing must be filed **2 days** prior to the preliminary hearing. For example, if the preliminary hearing is set for 8/8/19 at 9:30 a.m., the waiver must be filed by 9:30 a.m. on 8/6/19. If a waiver is filed after deadline, the matter will not be taken off calendar and all parties will be expected to appear at the scheduled preliminary hearing.

Motions To Modify Bond

Absent extraordinary circumstances, bail modification requests will not be heard unless calendared in advance and with 24 hours notice to the opposing party, Pretrial Services, and the sureties. Any documents to be proffered at the hearing must be provided to the Court's CRD 24 hours in advance of the hearing.

Stipulations (Joint Motions) for Change Of Bond Conditions

The Court will accept written stipulations for modification of bail conditions if they are in the form of a "joint motion" signed by all counsel, the defendant, the bond sureties, and the Pretrial Services Officer supervising the defendant. A copy of the Order of Conditions of Release must be attached to the joint motion and the filing party must submit a separate proposed order for the judge to sign. See CrimLR 1.1(e)(8); CivLR 7.2.

Presentation of Bond Documents

Counsel must present all bond documents in the form approved by the Court to Judge Goddard's CRD for review before bringing them to chambers. See Crim.LR. 46.1 for more information. The bond documents must include a copy of the Court's Order of Conditions of Release applicable to the defendant.

Material Witness bonds must include a notation, in the upper right hand corner of the bond, of the arraignment date and the initials of counsel for the material witness. Material witness bonds must also be presented to Judge Goddard's CRD for review.

Nebbia and Surety Examination Hearings

Nebbia and surety examinations will be heard only if calendared in advance with no less than 24 hours notice to the Court, all parties and the Pretrial Services Office. Defense counsel must provide the Court's CRD and the United States Attorney's Office with a copy of the proposed bail package, including in the case of a property bond, title documents, appraisals, bank loan statements and other relevant documents, 24 hours in advance of the hearing. With prior approval of the Court, out-of-state sureties may appear by telephone if they are accompanied by a notary to whom they can present a driver's license or other suitable identification.

Misdemeanor Sentencings:

In Class A Misdemeanor cases, counsel shall file a sentencing summary chart and/or sentencing memorandum no later than 2 days before the sentencing hearing or change of plea hearing (if requesting immediate sentencing).