

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS

IN RE: FORFEITURE OF COLLATERAL
UNITED STATES DEPARTMENT OF AGRICULTURE
UNITED STATES FOREST SERVICE

On this 24th day of January, 1997, it is hereby ordered by
the Court:

That in the interest of justice, efficient court administration, and effective law enforcement concerning the violation of the following rules and regulations while on any property under the charge and control of the United States Department of Agriculture, U. S. Forest Service, collateral in the amount prescribed on the attached schedule may be posted in lieu of the appearance of the offender unless it is the opinion of the arresting or citing officer that the offense charged was aggravated;

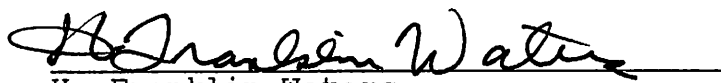
That upon the election of the person charged with such an offense to post said collateral in lieu of appearance before the United States Magistrate for trial of said offense, the collateral in the amount shown opposite the offense shall be forfeited to the United States. The posting of such collateral shall signify that the offender neither contests the charge nor requests a hearing before the United States Magistrate, and said collateral shall be administratively forfeited;

That forfeiture of collateral shall not be permitted in lieu of the appearance of the offender for a subsequent offense or

offenses within a twelve month period not arising out of the same transaction or occurrence as the original offense or offenses;

That there be maintained in the office of the Clerk, and with the respective United States Magistrates, a current list of the petty offenses and fines applicable thereto for which collateral may be accepted;

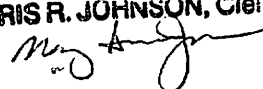
That, pursuant to the foregoing provisions, the offenses for which collateral may be posted in lieu of the appearance of the person charged therewith are as shown on the schedule attached hereto.



H. Franklin Waters
Chief, U.S. District Judge
Western District of Arkansas

U. S. DISTRICT COURT
WESTERN DIST. ARKANSAS
FILED

JAN 27 1997

CHRIS R. JOHNSON, Clerk
By 

36 CFR (Subaprt A)

36 CFR 261.3

Interfering with Forest Officers

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|---------------------------------------------------------------------------|-----------|
| (a) Interfering with Forest Officers prohibited | \$ 150.00 |
| (b) Giving false, fictitious or fraudulent information to Forest Officer | \$ 150.00 |
| (c) Interfering with Forest Volunteer, Human Resource enrollee prohibited | \$ 150.00 |

36 CFR 261.4

Disorderly Conduct

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| (a) Engaging in fighting | \$ 200.00 |
| (b) Direct annoying verbage to individual, causing individual to cause acts of violence | \$ 150.00 |
| (c) Inciting-lawless action | \$ 150.00 |
| (d) Making unreasonable noise | \$ 100.00 |

36 CFR 261.5

Fire

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| (a) Carelessly or negligently placing or throwing ignited or other substance that may cause a fire | \$ 150.00 |
| (b) Firing tracer bullet | \$ 100.00 |
| (c) Causing timber, etc., to burn except by permit | \$ 150.00 |
| (d) Leaving campfire without extinguishing | \$ 100.00 |
| (e) allowing fire to escape | \$ 150.00 |
| (f) Building campfire without removing flammable materials from area | \$ 50.00 |

36 CFR 261.6

Timber and Other Forest Products

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| (a) Cutting or otherwise damaging any forest product without authority | \$150.00 |
| (b) Cutting non-designated timber | \$150.00 |

(c) Removing timber before scaled	\$250.00
(d) Counterfeit marking of timber	\$250.00
(e) Loading, etc., timber acquired under permit in violation of contract	\$250.00
(f) Selling timber acquired by free use permit	\$100.00
(g) Violating timber export Substitution restriction	\$250.00
(h) Removing forest product without permit or contract	\$250.00

36 CFR 261.7

Livestock

(a) Allowing unauthorized livestock on National Forest land	\$150.00
(b) Refusal to remove livestock	\$200.00
(c) Failure to reclose gate	\$100.00
(d) Injuring or releasing impounded livestock	\$200.00

36 CFR 261.8

Fish and Wildlife

(a) Hunting, trapping, fishing	\$150.00
(a) Hunting, taking, possession of big game.	\$300.00
(a) Hunting big game closed season	\$500.00
(a) Hunting without valid license	\$175.00
(a) Hunting from road	\$150.00
(a) Night hunting	\$500.00
(a) Baiting wildlife on W.M.A.	\$150.00
(a) Baiting bear	\$300.00
(a) Fishing without valid license	\$100.00
(a) Possessing fish in slot limit	\$150.00
(a) Possession of over limit fish	\$100.00
(b) Possession of firearm or implement	\$150.00
(b) Possession of firearm on W.M.A. during closed season	\$150.00
(b) Possessing equipment for hunting trapping etc.	\$100.00
(d) Possessing dog not on leash	\$100.00
(e) Curtailing free movement of animal or plant from cave.	\$100.00

36 CFR 261.9

Property

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| (a) Damaging natural feature or other property of U.S. | \$150.00 |
| (b) Removing natural feature or other property of U.S. | \$150.00 |
| (c) Damaging plant classified as threatened, endangered, sensitive, rare or unique | \$150.00 |
| (d) Removing plant classified as threatened, endangered, sensitive, rare or unique | \$150.00 |
| (e) Unauthorized entrance of U.S. building, structure, or enclosed area | \$150.00 |
| (f) Unauthorized use of herbicide, pesticide, or fungicide | \$150.00 |
| (g) Digging in, excavating, disturbing injuring, destroying, or in any way damaging any prehistoric, historic, or archaeological resource, structure, site, artifact, or property. | \$200.00 |
| (h) Removing any prehistoric, historic, archaeological resource, structure, site, artifact, property. | \$250.00 |
| (i) Excavating, damaging, or removing any vertebrate fossil or removing any paleontological resource for commercial purposes without a special use authorization | \$250.00 |

36 CFR 261.10

Occupancy and Use

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| (a) Constructing roads, structures, etc. | \$150.00 |
| (b) Using National Forest land for residential purposes | \$150.00 |
| (c) Unauthorized selling or offering for sale merchandise, activity, or service | \$100.00 |
| (d) Discharging firearms or other weapons | \$150.00 |
| (e) Abandoning personal property | \$100.00 |
| (f) Placing vehicles or other objects in an impediment to others | \$100.00 |
| (g) Posting notices without a permit | \$ 50.00 |
| (h) Causing disturbance by use of audio devices or motors | \$100.00 |

- (i) Using public address system without approval \$ 50.00
- (j) Use of NFS land or facilities without special use authorization when required \$100.00
- (k) Violating term or condition of permit \$150.00
- (l) Failing to stop vehicle when directed by Forest Officer \$200.00
- (m) Failure to pay special use fee or other charges \$ 50.00

36 CFR 261.11
Sanitation

- (a) Depositing damaging objects in plumbing fixtures \$100.00
- (b) Possessing or leaving refuse in unsanitary condition \$150.00
- (c) Pollution of waters \$200.00
- (d) Failing to dispose of garbage properly \$150.00
- (e) Unauthorized dumping of refuse \$300.00

36 CFR 261.12
Forest Development Roads and Trails

- (a) Unauthorized violations of load and weight limitations \$100.00
- (b) Failure to have vehicle weighed when required \$100.00
- (c) Leaving road or trail in damaged condition \$100.00
- (d) Interfering with use of road, trail, or gate \$100.00
- (e) Using motorized vehicle over 40" wide on trail \$100.00

36 CFR 261.13
Use of Vehicles Off Roads

- (a) Without valid license \$100.00
- (b) Without operable braking system \$ 50.00
- (c) Without operable lights during designated period \$ 50.00
- (d) Violation of noise emission standard \$ 50.00

(e) Being under the influence of alcohol or other drug	\$250.00
(f) Creating excessive smoke	\$ 50.00
(g) Disregarding safety of persons or property	\$100.00
(h) Using vehicles in manner which disturbs land, wildlife, or vegetative resources	\$150.00
(i) Operating vehicle in violation of state law for ORVs	\$100.00

36 CFR 261.14
Developed Recreation Sites

(a) Occupancy for other than recreation purposes	\$ 50.00
(b) Building a fire except in authorized structures	\$ 50.00
(c) Improper use of hydrant or faucet	\$ 50.00
(d) Discharging fireworks or explosives	\$ 50.00
(e) Occupancy of day use areas during unauthorized hours	\$ 50.00
(f) Failure to remove personal property when vacating campsite	\$ 50.00
(g) Placing camping equipment except in authorized areas	\$ 50.00
(h) Noncompliance of first-night occupancy requirement	\$ 50.00
(i) Leaving camping equipment unattended	\$ 50.00
(j) Bringing animals on site unless leashed or otherwise restrictively controlled	\$ 50.00
(k) Bringing animal into swimming area	\$ 50.00
(l) Bringing in or possessing a saddle, pack, draft animal except as authorized by posted instructions	\$ 50.00
(m) Operating or parking a motor vehicle in undesignated areas	\$ 50.00
(n) Operating bicycle or motorcycle on undesignated trail	\$ 50.00
(o) Operating motor vehicle on site except when entering or leaving	\$ 50.00
(p) Distribution of literature without permit	\$ 50.00
(q) Depositing body waste except into designated receptacles	\$ 50.00

36 CFR 261.15

Failure to pay admission, recreation use,
and special recreation permit fees \$ 30.00

36 CFR 261.16

National Forest Wilderness

- (a) Possession or use of motor vehicle, motor boat or motorized equipment \$150.00
- (b) Possession or use of hang glider or bicycle \$150.00
- (c) Landing of aircraft or use of aircraft to drop or pick up persons or supplies; except as authorized \$100.00

36 CFR 261.20

Unauthorized Use of "Smokey Bear"
and "Woodsy Owl" Symbol

- (a) Manufacture, importation, reproduction, or use of "Smokey Bear" symbol except as provided by regulation \$100.00
- (b) Manufacture, importation, reproduction, or use of "Woodsy Owl" symbol except as provided by regulation \$100.00

CFR 261 (Subpart B)

(To be used only with Supervisor's Order)

36 CFR 261.52

Fire

- (a) building, maintaining, attending or using a fire, campfire, or stove fire \$100.00
- (b) Using an explosive \$100.00
- (c) Smoking \$100.00
- (d) Smoking outside enclosed vehicle, building, developed recreation site, or outside 3-foot barren area \$100.00
- (e) Going into or being upon an area \$100.00

(f) Possessing, discharging or using firework or other pyrothechnic device	\$100.00
(g) Entering area without fire-fighting tool prescribed by order	\$ 50.00
(h) Operating internal combustion engine	\$ 50.00
(i) Welding or operating torch with open flame	\$ 50.00
(j) Operating engine without properly installed and maintained spark arresting device which complies with appropriate standards	\$ 50.00
(k) Violating state burning or fire laws	\$100.00

36 CFR 261.53

Special Closures - going into or being upon area closed for the protection of:

(a) Threatened, endangered, rare, unique, or vanishing species of plants, animals, birds or fish	\$100.00
(b) Special biological communities	\$100.00
(c) Objects or areas of historical, archeological, geological or paleontological interest	\$100.00
(d) Scientific experiments or investigations	\$100.00
(e) Public health or safety	\$150.00
(f) Property	\$100.00

36 CFR 261.54

Forest Development Roads - the following are prohibited:

(a) Using prohibited vehicle	\$100.00
(b) Use by any type of traffic prohibited	\$100.00
(c) Using road for commercial hauling without permit	\$100.00
(d) Operating vehicle in violation of speed, load, weight, height, length, width or other limitations specified by the order	\$100.00
(d) Speeding:	
Exceeding 1-10 miles per hour over posted limit	\$ 80.00
Exceeding 11-30 miles per hour over posted limit	\$100.00

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| (d) Exceeding more than 30 miles per hour over posted speed limit. | \$200.00 |
| (d) Operating motor vehicle on expired license. | \$150.00 |
| (d) Operating motor vehicle on a suspended license | \$150.00 |
| (d) Operating motor vehicle in violation of state law: safety equipment, no helmet | \$100.00 |
| (d) D.U.I | Mandatory |
| (d) Driving on revoked license | \$250.00 |
| (e) Being on the road | \$100.00 |
| (f) Reckless operation of motor vehicle | \$200.00 |

36 CFR 261.55

Forest Development Trails - the following are prohibited:

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| (a) Being on the trail | \$100.00 |
| (b) Using bicycle or motorized vehicle | \$100.00 |
| (c) Possessing or using a saddle, pack, or draft animal | \$100.00 |
| (d) Shortcutting a switchback | \$100.00 |

36 CFR 261.56

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| <u>Use of vehicles off forest development roads.</u> | \$150.00 |
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36 CFR 261.57

National Forest Wilderness - the following are prohibited:

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| (a) Entering or being in the area | \$ 50.00 |
| (b) Possessing camping or pack-out fitting equipment | \$ 50.00 |
| (c) Possessing firearm or firework | \$ 50.00 |
| (d) Possessing nonburnable food or beverage containers, except for non-burnable containers designed - and intended for repeated use. | \$ 50.00 |
| (e) Grazing | \$100.00 |
| (f) Storing equipment, personal property or supplies | \$ 50.00 |
| (g) Disposing of debris, garbage, or other waste | \$100.00 |
| (h) Possessing or using a bicycle wagon, cart, or other vehicle | \$ 50.00 |

36 CFR 261.58

Occupancy and Use - the following are prohibited:

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| (a) Camping for period longer than allowed | \$ 50.00 |
| (b) Entering or using developed recreation site | \$ 50.00 |
| (c) Unauthorized entering or remaining in campground during night periods | \$ 50.00 |
| (d) Occupying developed recreation site with prohibited camping equipment | \$ 50.00 |
| (e) Camping | \$ 50.00 |
| (f) Excessive number of users in campsite | \$ 50.00 |
| (g) Parking or leaving vehicle in violation of posted instructions | \$ 50.00 |
| (h) Parking or leaving vehicle outside assigned parking space | \$ 50.00 |
| (i) Parking or leaving more than two vehicles except motorcycles or bicycles per camp unit | \$ 50.00 |
| (j) Being publicly nude | \$100.00 |
| (k) Entering or being in a body of water | \$ 50.00 |
| (l) Being in area after sundown or before sunrise | \$ 50.00 |
| (m) Discharging firearms, air rifle, or gas gun | \$ 50.00 |
| (n) Possessing or operating motor boat | \$ 50.00 |
| (o) Water skiing | \$ 50.00 |
| (p) Storing or leaving boat or raft | \$ 50.00 |
| (q) Operating watercraft in excess of posted speed limit | \$ 50.00 |
| (r) Undesignated boat launching | \$ 50.00 |
| (s) Possessing or transporting a - bird or animal | \$ 50.00 |
| (t) Possessing, storing, or transporting part of tree or plant | \$100.00 |
| (t) Possession of less than one ounce of marijuana. | \$250.00 |
| (t) Possession of one ounce of marijuana but less than two ounces. | \$500.00 |
| (u) Unauthorized presence in area between 10 p.m. or 6 a.m. | \$ 50.00 |
| (v) Hunting or fishing | \$ 50.00 |

(w) Possessing or transporting motor or mechanical device capable of propelling water-craft	\$ 50.00
(x) using mechanical device for overland transport of water-craft	\$ 50.00
(y) Landing of aircraft or dropping or picking up material or person with aircraft	\$100.00
(z) Entering or being on lands or waters in the National Wild and Scenic Rivers System	\$ 50.00
(aa) Riding, hitching, tethering or hobbling horse or pack animal in violation of posted instructions	\$ 50.00
(bb) Possessing alcoholic beverage	\$ 50.00
(cc) Possessing or storing any food or refuse	\$ 35.00

Should circumstances warrant, nothing herein shall preclude the Issuing Officer's prerogative to make any offense a mandatory appearance.

Title 18. United States Code

- 111 Assault - Felony
- 641 Theft of Government property
 - Less than \$100 - Misdemeanor
 - Exceeding \$100 - Felony
- 1361 Willful damage of Government property
 - (Malicious Mischief)
 - Less than \$100 - Misdemeanor
 - Exceeding \$100 - Felony
- 1852 Timber removed or transported
 - Misdemeanor
- 1853 Trees Cut or injured
 - Misdemeanor
- 1854 Trees boxed for pitch or turpentine
 - Misdemeanor
- 1855 Willfully sets fire - Felony

- 1856 Fires left unattended and unextinguished - allowing escape
Misdemeanor
- 1857 Fences destroyed; livestock entering
Misdemeanor
- 1858 Survey markers destroyed or removed
Misdemeanor

Title 21, United States Code

- 841 Cultivation, Distribution, Dispensing
Controlled Substance Felony

Title 16, United States Code

- 470 ARPA
559 Authority - LEO's

The above offenses must be charged by filing a complaint.