

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

In re: Presentence Reports

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Misc. No. 00-308

ADMINISTRATIVE ORDER 2003-6

On June 18, 2003, the Court ordered the Probation Office to temporarily withhold presentence reports from the Sentencing Commission to provide the Court the opportunity to analyze the PROTECT Act and to confer with the Sentencing Commission regarding its confidentiality policy. Having done so, the Court has developed forms and procedures applicable to sentencings that occur after the date of this Order.

In the interim period, however, litigants have been uncertain about the extent to which the Sentencing Commission would distribute presentence reports, plea agreements, and other sentencing documents. Accordingly, litigants were hampered in deciding whether to move for a sealing order or to request other relief. Rather than revisit each sentencing to which the order of June 18th applies, the Court has decided to forward all of the withheld presentence reports to the Sentencing Commission, subject to the limitations set forth below. Accordingly, the Court hereby rules as follows:

- (i) the Court **ORDERS** the Probation Office to promptly send to the Sentencing Commission all presentence reports that relate to sentencings that occurred from June 18, 2003, through the date of this Order;
- (ii) each presentence report **SHALL** be accompanied by a copy of this Order;
- (iii) these presentence reports are sealed and are submitted to the United States Sentencing Commission for its eyes only;

- (iv) the Sentencing Commission must apply to this Court for leave to forward a presentence report to which this Order applies; and
- (v) any interested party may also apply to this Court for leave to inspect a presentence report to which this Order applies.

It is so ORDERED this 15th day of August, 2003.

/s/
Benson Everett Legg
Chief United States District Judge