

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

In Re: Forfeiture of Collateral
Department of Veteran's Affairs

MOTION TO SUPERSEDE PREVIOUS STANDING ORDERS

The United States of America hereby requests that the Court supersede its previous standing order of December 1, 2015 to incorporate the Department of Veteran's Affairs forfeiture of collateral fine schedule for violations of Title 38 CFR § 1.218 (herein attached as Exhibit A).

No memorandum of law is necessary.

WHEREFORE, the United States requests that the motion be granted.


Respectfully submitted,

John J. Farley
United States Attorney

Date: February 2, 2022

By: /s/ Mark S. Zuckerman
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Granted Denied



Landya B. McCafferty
Chief United States District Judge
Date: 2-10-22

EXHIBIT A

CHAPTER III
SECTION L

RULE OF COURT AND INSTRUCTIONS FROM THE U.S. ATTORNEY OF JURISDICTION

+Violation	Definition	Fine
38 CFR 1.218(b)(1)	Improper disposal of rubbish on property	\$200.00
38 CFR 1.218(b)(2)	Spitting on property	\$25.00
38 CFR 1.218(b)(3)	Throwing of articles from a building or the unauthorized climbing upon any part of a building	\$100.00
38 CFR 1.218(b)(4)	Willful destruction, damage, or removal of Government property without authorization	Must Appear
38 CFR 1.218(b)(5)	Defacement, destruction, mutilation, or injury to, or removal, or disturbance of, grave marker or headstone	\$500.00
38 CFR 1.218(b)(6)	Failure to comply with signs of a directive and restrictive nature posted for safety purposes	\$50.00
38 CFR 1.218(b)(7)	Tampering with, removal, marring, or destruction of posted signs	\$150.00
38 CFR 1.218(b)(8)	Entry into areas posted as closed to the public or others (Trespass)	\$50.00
38 CFR 1.218(b)(9)	Unauthorized demonstration or service in a national cemetery or on other VA property	\$250.00
38 CFR 1.218(b)(10)	Creating a disturbance during a burial ceremony	\$250.00
38 CFR 1.218(b)(11)	Disorderly conduct which creates loud, boisterous, and unusual noise, or which obstructs the normal use of entrances, exits, foyers, offices, corridors, elevators, and stairways or which tends to impede or prevent the normal operation of a service or operation of the facility	\$250.00
38 CFR 1.218(b)(12)	Failure to depart premises by unauthorized persons	\$250.00

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38 CFR 1.218(b)(13)	Unauthorized loitering, sleeping or assembly on property	\$100.00
38 CFR 1.218(b)(14)	Gambling-participating in games of chance for monetary gain or personal property; the operation of gambling devices, a pool or lottery; or the taking or giving of bets	\$200.00
38 CFR 1.218(b)(15)	Operation of a vehicle under the influence of alcoholic beverages or non-prescribed drugs, hallucinogens, marijuana, barbiturates, or amphetamines	MA
38 CFR 1.218(b)(16)) Entering premises under the influence of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines	\$200.00
38 CFR 1.218(b)(17)	Unauthorized use on property of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines	\$200.00
38 CFR 1.218(b)(18)	Unauthorized introduction on VA controlled property of narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines or unauthorized giving of same to a patient or beneficiary	MA
38 CFR 1.218(b)(19)	Unauthorized solicitation of alms and contributions on premises	\$50.00
38 CFR 1.218(b)(20)	Commercial soliciting or vending, or the collection of private debts on property	\$100.00
38 CFR 1.218(b)(21)	Distribution of pamphlets, handbills, and flyers	\$100.00
38 CFR 1.218(b)(22)	Display of placards or posting of material on property	\$100.00
38 CFR 1.218(b)(23)	Unauthorized photography on premises	\$100.00
38 CFR 1.218(b)(24)	Failure to comply with traffic directions of VA Police	\$100.00

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38 CFR 1.218(b)(25)	Parking in spaces posted as reserved for physically disabled persons	\$250.00
38 CFR 1.218(b)(26)	26) Parking in no-parking areas, lanes, or crosswalks so posted or marked by yellow borders or yellow stripes	\$100.00
38 CFR 1.218(b)(27)	Parking in emergency vehicle spaces, areas and lanes bordered in red or posted as EMERGENCY VEHICLES ONLY or FIRE LANE, or parking within 15 feet of a fire hydrant	\$250.00
38 CFR 1.218(b)(28)	Parking within an intersection or blocking a posted vehicle entrance or posted exit lanes	\$50.00
38 CFR 1.218(b)(29)	Parking in spaces posted as reserved or in excess of a posted time limit	\$15.00
38 CFR 1.218(b)(30)	Failing to come to a complete stop at a Stop sign	\$25.00
38 CFR 1.218(b)(31)	Failing to yield to a pedestrian in a marked and posted crosswalk	\$50.00
38 CFR 1.218(b)(32)	Driving in the wrong direction on a posted one-way street	\$25.00
38 CFR 1.218(b)(33)	Operation of a vehicle in a reckless or unsafe manner, too fast for conditions, drag racing, overriding curbs, or leaving the roadway	\$250.00
38 CFR 1.218(b)(34)	Exceeding posted speed limits:	
	By up to 10 MPH	\$25.00
	By up to 20 MPH	\$50.00
	By over 20 MPH	\$100.00

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38 CFR 1.218(b)(35)	Creating excessive noise in a hospital or cemetery zone by muffler cut out, excessive use of a horn, or other means	\$50.00
38 CFR 1.218(b)(36)	Failure to yield right of way to other vehicles	\$50.00
38 CFR 1.218(b)(37)	Possession of firearms, carried either openly or concealed, whether loaded or unloaded (except by Federal or State law enforcement officers on official business)	Must Appear
38 CFR 1.218(b)(38)	Introduction or possession of explosives, or explosive devices which fire a projectile, ammunition, or combustibles	Must Appear
38 CFR 1.218(b)(39)	Possession of knives which exceed a blade length of 3 inches; switchblade knives; any of the variety of hatches, clubs, and hand-held liquid or gas-emitting weapon	\$300.00
38 CFR 1.218(b)(40)	The unauthorized possession of any of the variety of incapacitating liquid or gas-emitting weapons	\$200.00
38 CFR 1.218(b)(41)	Unauthorized possession, manufacture, or use of keys or barrier card-type keys to rooms or areas on the property	\$200.00
38 CFR 1.218(b)(42)	The surreptitious opening, or attempted opening, of locks or card-operated barrier mechanisms on property	\$500.00
38 CFR 1.218(b)(43)	Soliciting for, or the act of, prostitution	\$500.00
38 CFR 1.218(b)(44)	Any unlawful sexual activity	\$500.00
38 CFR 1.218(b)(45)	Jogging, bicycling, sledding or any recreational physical activity conducted on cemetery grounds	\$50.00