

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

CM/ECF ACCESS TO PRESENTENCE  
REPORTS BY SUBSEQUENT COUNSEL  
IN CRIMINAL CASES.

MISC. NO. 16-302

CLERK'S OFFICE  
U.S. DISTRICT COURT  
SAN JUAN, P.R.

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**STANDING ORDER NO. 1**

**Re: Disclosure of Presentence Report**

Under Local Criminal Rule 132, the probation office shall prepare a presentence report ("PSR") in every case unless the Court, pursuant to Fed. Crim. R. 32(c)(1)(A), finds that sufficient information exists in the record to enable the meaningful exercise of its sentencing authority. Due to the nature and contents within the PSR, access to this document through CM/ECF is currently restricted to the attorney(s) of the government, counsel for the defense and the Court.

It has been brought to the attention of the Court that, due to the referenced restrictions imposed on CM/ECF, when substitute new counsel appears on behalf of the defendant, either at trial or appellate stages, the substitute or new appointed counsel do not have immediate access to the PSR document. In order to have access to the restricted filing, new counsel currently has to request from the Court access to this important document and wait for the Court's authorization before being able to review it. This situation create challenges for new substitute counsel in complying with the terms for review and contesting the content of the PSR, preparing for the upcoming


sentencing hearing or appeal on any other important matter related to the defense of their clients.

Therefore, the Court hereby orders that, upon the filing of its notice of appearance, any substitute new counsel, whether court appointed or retained; will be granted access through CM/ECF to the PSR document, along with any other addendums, amendments or changes made to the main PSR document.

This authorization does not extend and does not authorize access or disclosure of Plea Supplements which are to remain sealed, unless specifically authorized by Court order.

IT IS SO ORDERED.

At San Juan, Puerto Rico on this 27th day of June, 2016.

  
Aida M. Delgado-Colón  
Chief, United States District Judge