

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: :
:
PROCEDURES FOR HANDLING :
SURRENDERED PASSPORTS :
:

STANDING ORDER

AND NOW, this 22nd day of August, 2023, it is **ORDERED** as follows:

1. Upon surrender of a defendant’s passport to U.S. Probation and Pretrial Services, the original passport and Form PS-40 or PS-40A (the “Form”) shall be retained by the Fiscal Department (“Fiscal”) until final judgment is entered, including any appeals, and a copy of the Form shall be forwarded to the United States Department of State (“State Department”) or to the appropriate Immigration and Customs Enforcement field office (“ICE”).
2. Upon transfer of a case to another district, defendant’s passport and a copy of the Form with the case file shall be forwarded to the transferee court.
3. If judgment has been entered on a not guilty verdict, the Court shall order that the passport be returned to the defendant.
4. The Clerk shall deliver the passport to counsel or the defendant, unless the Clerk’s Office has been notified that the passport is required for evidentiary purposes in another proceeding.
5. Fiscal shall complete the Notice of Disposition section of the Form and forward copies of the Form and Order to the State Department or to ICE. Fiscal shall retain the original completed Form and forward a copy to case processing for docketing.

6. If the defendant has been convicted and final judgment has been entered, including appeals, the Court may order that the defendant's passport be returned to the State Department or to ICE for United States passports or to the consulate of the issuing country for foreign passports.

7. United States Passports: Within ninety (90) days from the date of the Order directing the return of a United States passport to the State Department or to ICE, the defendant may file a motion requesting that Fiscal return the passport to the defendant or his counsel. A sample motion can be found on the Court's website www.paed.uscourts.gov. If after ninety (90) days no motion has been filed, Fiscal shall forward the passport to the State Department or to ICE unless the Clerk's Office is notified that the passport is required for evidentiary purposes for use in another proceeding.

Fiscal shall complete the Notice of Disposition section of the Form and forward a copy of the Form and the Order to the State Department or to ICE. Fiscal shall also forward a copy of the completed Form to case processing for docketing. Fiscal shall retain the original.

8. Foreign Passports: Within ninety (90) days from the date of the Order directing the return of a foreign passport to the consulate of the issuing country, the defendant may file a motion requesting that Fiscal return the passport to the defendant or his counsel. A sample motion can be found on the Court's website at: www.paed.uscourts.gov. If after ninety (90) days no motion has been filed, Fiscal shall forward the passport to the consulate of the issuing country unless it has been notified that the passport is required for evidentiary purposes for another proceeding.

Fiscal shall complete the Notice of Disposition section of the Form and forward a copy of the Form and the Order to the consulate of the issuing country. Fiscal shall also forward a copy of the completed Form to case processing for docketing. Fiscal shall retain the original.

9. If the Clerk is notified that a passport is in a false name, Fiscal shall forward the passport to the State Department, ICE, or to the appropriate consulate of the issuing country.

10. Expired United States passports shall be handled in the same manner as valid United States passports. Expired foreign passports shall be returned to the consulate of the issuing country.

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez
Chief Judge