TYPICAL FEDERAL CRIMINAL PROSECUTION

EVENTS CONSTITUTING ALLEGED CRIME

ARREST ← OR → **INVESTIGATION**

FILING OF CRIMINAL COMPLAINT/MAGISTRATE'S EX PARTE

PRESENTMENT — if arrest warrant not issued prior to arrest

PRETRIAL RELEASE DETERMINATION (BAIL)

PRELIMINARY HEARING: Probable cause found by judge | No probable cause found by judge → **CASE DISMISSED**

GRAND JURY:
Prosecutor subpoenas witnesses, documents; grand juriors hear prosecutor's evidence

INDICTMENT | **NO INDICTMENT** ("No True Bill") → **CASE DISMISSED**

ARRAIGNMENT AND BAIL LITIGATION

(Pretrial "Discovery" Process and Plea Bargaining)

PRETRIAL MOTIONS

TRIAL or **GUILTY PLEA**

TRIAL:
Jury Selection > Opening Statements > Prosecution's Case-in-Chief > Defendant's Motion for Judgment of Acquittal > Defense's Case > Prosecution's Rebuttal Case > Renewed Motion for Judgment of Acquittal > Jury Instructions > Closing Arguments > Final Jury Instructions > VERDICT or HUNG JURY (start over at Grand Jury)

VERDICT:

GUILTY ← or → **NOT GUILTY** → **END, CASE DISMISSED**

MOTION FOR NEW TRIAL

PRESENTENCE INVESTIGATION ("PSI report")

SENTENCING HEARING

APPEAL BY DEFENDANT

Unsuccessful ← or → Successful → Defendant wins new trial (start over at Grand Jury)

COLLATERAL ATTACKS ON CONVICTION OR SENTENCE HABEAS CORPUS

Unsuccessful ← or → Successful → Defendant wins new trial (start over at Grand Jury)