

DEC 30 1994

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

DAVID J. MALAND, CLERK

BY DEPUTY



**ORDER ADOPTING LOCAL RULE REGARDING FACSIMILE TRANSMISSIONS**

The judges of this court have approved the following new section (i) to Local Rule 4:

- (i) Filing by facsimile will only be allowed in situations determined by the court to be of an emergency nature or other compelling circumstance. The clerk shall not accept documents transmitted by facsimile equipment unless prior authorization has been obtained from the judge or magistrate judge to whom the case has been assigned, or at that judge's personal direction, with the exception of emergency pleadings in capital offense cases.
  - (1) Authorized facsimile transmissions must be faxed directly to the clerk's office. Additionally,
    - (a) the party filing the document must mail the original signed document to the clerk on the same day it is sent via facsimile, along with any reasonable fee established by the clerk; and
    - (b) absent express judicial permission, documents filed by facsimile transmission shall not exceed 15 pages in length.

Failure to comply with these requirements may result in the pleading being stricken from the record.

- (2) A facsimile pleading is deemed to be filed as of the date it is received by

the court. The filed facsimile shall have the same force and effect as the original. The clerk shall assign the original signed pleading the same document number as the facsimile pleading.

- (3) The clerk shall not accept for facsimile filing an original complaint, a removal from state court, or any other document constituting a new action.

New Local Rule 4(i) is hereby ADOPTED for immediate implementation.

Signed this 28<sup>th</sup> day of December, 1994.

FOR THE COURT:

  
\_\_\_\_\_  
RICHARD A. SCHELL  
Chief Judge