

JUN 10 1996

DAVID J. MALAND, CLERK
BY
DEPUTY *David J. Maland*

GENERAL ORDER NO. 96-10

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

GENERAL ORDER REGARDING DIVISIONAL ASSIGNMENT
AND APPORTIONMENT OF CASES AMONG
UNITED STATES MAGISTRATE JUDGES

It is **ORDERED** that matters referred and assigned to United States Magistrate Judges in this district shall be directed and apportioned as follows:

I. Division Assignments

<u>Division</u>	<u>Magistrate Judge</u>
Beaumont	Hon. Earl S. Hines (50%) Hon. Wendell C. Radford (50%)
Lufkin	Hon. Earl S. Hines (Civil-50%) Hon. Wendell C. Radford (Civil-50%) Hon. Harry W. McKee (Criminal)
Marshall	Hon. Harry W. McKee
Paris, Sherman, & Texarkana	Hon. Robert W. Faulkner
Tyler*	Hon. Judith K. Guthrie (50%) [omitting cases assigned to Judge Hannah] Hon. Harry W. McKee (50%)

* Please see Attachment A for a more detailed description of the assignments for this division.

II. Apportionment

In divisions served by more than one magistrate judge, matters shall be referred and assigned as follows:

A. Civil Cases

1. Prisoner suits shall be referred at the time of filing equally among magistrate judges with concurrent civil case responsibilities except as specified above. Prisoner suits shall automatically be assigned to the magistrate judge to whom the case originally was referred when parties consent to trial and entry of judgment by a magistrate judge.

2. All other civil matters shall be referred or assigned randomly except as specified above or unless a specific order of the court directs otherwise.

B. Criminal Cases

1. Magistrate Judges shall rotate responsibilities for handling unscheduled matters and cases processed through the Central Violations Bureau (CVB) so that each has equal duty time.
2. Except when governed by General Order 93-6:
 - a. Class A misdemeanor cases shall be assigned randomly to a magistrate judge when the case is filed except as specified above.
 - b. Class B and Class C misdemeanors and infractions, except CVB cases, shall be assigned to the duty magistrate judge at the time of defendants first appearance in this district.

III. Miscellaneous

- A. Assignment of additional duties to magistrate judges will be made as deemed appropriate.
- B. Transfers between magistrate judges to equalize dockets and for other appropriate reasons shall be entered from time to time upon concurrence of the transferee judge.
- C. This order is effective as of the date signed and supersedes all prior general orders governing divisional assignments and allocation of duties of magistrate judges. Individual district judges *ad hoc* and standing orders governing specific referrals and assignments of cases to magistrate judges are unaffected by this order.

SIGNED this 7th day of June, 1996.

FOR THE COURT:



Richard A. Schell
Chief Judge

ATTACHMENT A

TYLER CASES

	Steger	Hannah	Justice	% of total
Guthrie	75	0	75	50
McKee	25	100	25	50
Total	100	100	100	100