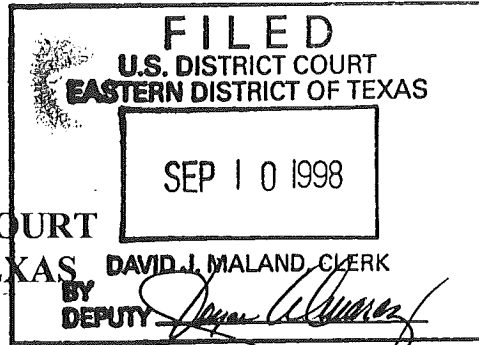


GENERAL ORDER NO. 98-13

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



GENERAL ORDER AMENDING LOCAL RULE CR-49(a)

It is hereby ORDERED that the attached amendments to Local Rule CR-49(a), having been approved by the judges of this court, are adopted for immediate implementation:<sup>1</sup>

**LOCAL RULE CR-49 Service and Filing of Papers**

**(a) Generally.**

- (1) When offered for filing, all papers shall be (1) endorsed with the style and number of the action and a statement of the character of the paper (e.g., MOTION TO SUPPRESS), (2) plainly written, typed, or printed, double-spaced, on 8 1/2 inch by 11 inch white paper, stapled at the top only, and punched at the top center with two holes 2 7/8 inches apart, (3) signed by the attorney in charge and contain beneath the signature line his or her name, bar I.D. number, post office address and telephone number. "Blue backs" and other covers are not to be submitted with papers. No brief or motion shall be filed with the court with a font or typeface smaller than twelve (12) point type and 12 characters per inch. A certificate of service must be attached to and made a part of all papers when required by the Federal Rules of Criminal Procedure.
- (2) The original and one copy of pleadings, motions and other papers shall be filed with the clerk. Except where a judge has not yet been assigned to a case, pleadings, motions and other papers shall include the case caption, the last name ~~or initials~~ of the (a) assigned district judge and (b) the appropriate magistrate judge, in the event that a case has been referred to a magistrate judge for disposition.

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<sup>1</sup>New language appears in underlined text; deleted language appears in ~~strikeout~~ text.

(3) Deficient pleadings/documents. The clerk shall monitor papers for compliance with the federal and local rules as to format and form. If the paper sought to be filed is deficient as to form, the clerk shall immediately notify counsel, who should be given a reasonable opportunity to cure the perceived defect. If the perceived defect is not cured in a timely fashion, the clerk shall refer the matter to the appropriate district or magistrate judge for a ruling as to whether the papers should be made part of the record.

(4) Multi-defendant cases.

(A) Copies. Parties in criminal cases shall provide the clerk with the original plus one copy of each document (see Local Rule CR-49(a)(2)), plus one additional copy for the case file of each defendant to whom the document applies.

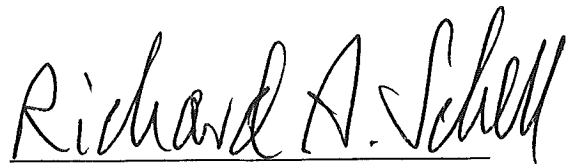
(B) Defendant Numbers. In multi-defendant cases, each defendant receives a "defendant number." The numbers are assigned in the order in which defendants are listed on the complaint or indictment. When filing documents with the court, the parties shall identify by name and number each defendant to whom the document being filed applies.

(C) Sealed Indictments. In multi-defendant cases involving one or more sealed indictments, the Government should, at the time the sealed indictment is filed, provide the clerk with appropriately redacted copies of the indictment for each defendant. The goal of this procedure is to protect the confidential aspect of the sealed indictment with regard to any defendants not yet arrested.

\* \* \* \* \*

Signed this 9<sup>th</sup> day of September, 1998.

FOR THE COURT:



RICHARD A. SCHELL  
Chief Judge