

GENERAL ORDER NO. 96-14

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

JUL 31 1996

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

DAVID J. MALAND, CLERK

DEPUTY

GENERAL ORDER AMENDING LOCAL RULE 14 REGARDING THE
DISPOSITION OF EXHIBITS AND/OR SEALED DOCUMENTS

It is hereby ORDERED that the following amendment to Local Rule 14, having been approved by the judges of the court, is adopted for immediate implementation [Note: New language in the rule appears as redline text]:

RULE 14

DISPOSITION OF EXHIBITS AND/OR SEALED DOCUMENTS BY CLERK

Thirty days after a civil or criminal action has been finally disposed of by the appellate courts or from the date the appeal time lapsed, the Clerk is authorized to take the following actions:

- (a) Unsealed exhibits. Destroy any exhibits filed therein which have not been previously claimed by the attorney of record for the party offering the same in evidence at the trial;
- (b) Sealed exhibits/documents. Unseal and file in the original case file any documents which have been filed of record and ordered sealed by the Court, except *in camera* documents, ~~and~~ presentence investigation reports, applications for pen registers, trap and trace devices, search warrants, wire taps and tax return orders as specified below. The Clerk shall timely notify all parties in the case that the sealed documents will be unsealed and filed in the original case file at the conclusion of the thirty-day period, unless otherwise ordered by the Court.

- (1) Unfiled *In camera* exhibits/documents. All unfiled confidential documents and/or exhibits submitted to the Court for *in camera*

inspection in all civil and criminal actions shall be claimed by the party(ies) submitting same after final disposition of all matters in controversy has been made. The Clerk shall provide timely written notification to the party(ies) who submitted the confidential materials that they will have thirty days to claim these materials. If no response is received to this notification at the conclusion of the thirty-day period, the confidential matters shall be destroyed by a suitable method to be determined by the Clerk; and

(c) Sealed Presentence Investigation Reports, Applications for Pen Registers, Trap and Trace Devices, Search Warrants, Wire Taps and Tax Return Orders.

Scan the original documents into electronic images that are stored on the court's computer system in lieu of maintaining the original paper copies. In cases involving applications for pen registers, trap and trace devices, search warrants, wire taps and tax return orders, the clerk shall scan the original sealed documents into electronic images no sooner than one hundred-eighty (180) days from the date the sealed document was filed. The Clerk shall ensure that the database of scanned images is maintained for the foreseeable future, and that no unauthorized access of the stored images occurs. [end of rule text]

Signed this 30th day of July, 1996.

FOR THE COURT:


RICHARD A. SCHELL
Chief Judge