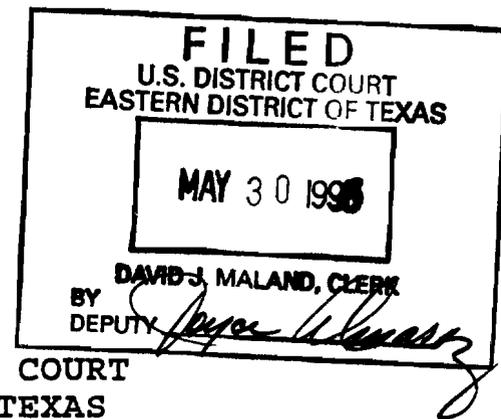


General Order 95-8



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

GENERAL ORDER ADOPTING AMENDMENTS TO LOCAL RULE 12
REGARDING CRIMINAL CASE PROCEDURES

It is hereby ORDERED that the following amendments to Local Rule 12 concerning criminal case procedures, having been approved by the judges of this court, are adopted for immediate implementation (see 28 U.S.C. §2071(e)):

RULE 12

~~DISPOSITION OF CRIMINAL CASES~~ CRIMINAL CASE PROCEDURES

(a) The disposition of criminal cases shall be governed by the Plan for the United States District Court, Eastern District of Texas, for Achieving Prompt Disposition of Criminal Cases. Copies of the Plan are available from the Clerk.

(b) In the interest of reducing delays and costs, judges and magistrate judges may conduct the arraignment at the same time as the post-indictment initial appearance.

(c) Criminal defense attorneys must confer with the Assistant U.S. Attorney in a good faith attempt to resolve pretrial disputes before filing a motion, and must certify to such a conference in the motion.

Additionally, the following amendments to the Plan for Achieving Prompt Disposition of Criminal Cases are adopted for immediate implementation:

4(f) Related Procedures

At the time of the defendant's earliest appearance before a judicial officer of this district, the officer will take appropriate steps to assure that the defendant is represented by counsel and shall appoint counsel where appropriate under the Criminal Justice Act and Rule 44 of the Federal Rules of Criminal procedure. Judicial officers may order defendants who are only partially indigent to pay some portion of the CJA defense costs.

2 8. Time Within Which Defendant Should be Sentenced.

(a) Time Limit. A defendant shall ordinarily be sentenced within ~~[45] days of the date of his conviction or plea of guilty or nolo contendere~~ twenty-one (21) days after submission of the presentence report to the sentencing judge.

Signed this 30th day of May, 1995.

FOR THE COURT:

Richard A. Schell

RICHARD A. SCHELL
Chief Judge