



**Item IV**

**Judge Orlando L. Garcia:**

- (a) Thirty-three percent (33%) of the civil docket in the San Antonio Division;
- (b) Thirty-four percent (34%) of the criminal docket in the San Antonio Division; and
- (c) The impaneling of grand juries and the receipt of grand jury returns in the San Antonio Division.

**Item V**

**Judge Philip R. Martinez:**

- (a) Twenty-five percent (25%) of the civil docket in the El Paso Division;
- (b) Twenty-five percent (25%) of the criminal docket in the El Paso Division;
- (c) The impaneling of grand juries and the receipt of grand jury returns in the El Paso Division; and
- (d) Naturalization proceedings in the El Paso Division.

**Item VI**

**Judge Alia Moses:**

- (a) All cases and proceedings in the Del Rio Division.

**Item VII**

**Judge Robert A. Junell:**

- (a) All cases and proceedings in the Midland-Odessa Division; and
- (b) All cases and proceedings in the Pecos Division.

**Item VIII**

**Judge Lee Yeakel:**

- (a) Fifty percent (50%) of the civil docket in the Austin Division;
- (b) Fifty percent (50%) of the criminal docket in the Austin Division;
- (c) The impaneling of grand juries and the receipt of grand jury returns in the Austin Division; and
- (d) Naturalization proceedings in the Austin Division.

**Item IX**

**Judge Kathleen Cardone:**

- (a) Twenty-five percent (25%) of the civil docket in the El Paso Division; and
- (b) Twenty-five percent (25%) of the criminal docket in the El Paso Division.

**Item X**

**Judge Frank Montalvo:**

- (a) Twenty-five percent (25%) of the civil docket in the El Paso Division; and
- (b) Twenty-five percent (25%) of the criminal docket in the El Paso Division.

**Item XI**

**Judge Xavier Rodriguez:**

- (a) Thirty-three percent (33%) of the civil docket in the San Antonio Division;
- (b) Thirty-three percent (33%) of the criminal docket in the San Antonio Division; and
- (c) Naturalization proceedings in the San Antonio Division.

**Item XII**

**Senior Judge Harry Lee Hudspeth:**

- (a) Any civil case, criminal case, court related matter, or administrative duty assigned or transferred to him by another judge by mutual consent.

**Item XIII**

**Senior Judge James R. Nowlin:**

- (a) Any civil case, criminal case, court related matter, or administrative duty assigned or transferred to him by another judge by mutual consent.

**Item XIV**

**Senior Judge David Briones:**

- (a) Twenty-five percent (25%) of the civil docket in the El Paso Division;
- (b) Twenty-five percent (25%) of the criminal docket in the El Paso Division; and

- (c) The admission of attorneys to the bar of this Court in the El Paso Division.

**Item XV**

- (a) Notwithstanding Items I through XIV, any judge may reassign any case, matter or proceeding to another judge by mutual consent.
- (b) Whenever a judge in a multi-judge division is disqualified or recused in a case, the case shall be randomly assigned by the Clerk to another judge stationed in that division. If all judges in a multi-judge division are recused or disqualified, the case shall be randomly reassigned by the Clerk to a judge in another division.
- (c) Whenever a judge in a single-judge division is disqualified or recused in a case, the case shall be randomly reassigned by the Clerk to a judge in another division.
- (d) A judge must state in writing any reason for recusal. A thorough explanation is required if the recusal is for a reason other than pursuant to 28 U.S.C. § 455.
- (e) Whenever a judge receives a case due to disqualification or recusal, the receiving judge may transfer one of his or her cases, of equal weight or as close as possible, to the disqualified or recused judge.
- (f) With respect to each division in which business is assigned to more than one judge, the clerk shall maintain a separate civil and/or criminal docket, and all cases shall be allocated, pursuant to the percentages hereinabove set forth, as reflected in the random plan for assignment of cases.
- (g) This order is in lieu of prior similar orders of the Court on assignment of the business of the Court.
- (h) The Clerk shall file a copy of this order in every division of the district.
- (i) This order shall become effective on **January 1, 2011**.

DATED, this 16<sup>th</sup> day of December, 2010.

**For the Court:**

  
Fred Biery  
Chief United States District Judge