

FILED

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

MAR 8 1 50 PM '01

CLERK
WESTERN DISTRICT OF TEXAS

AMENDED ORDER FOR DUTY JUDGE

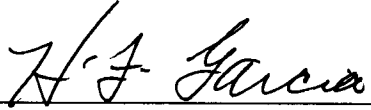
BY  DEPUTY

This Court's order of May 2, 1988 amending the duty judge procedures previously implemented in the San Antonio Division of the Western District of Texas is **hereby superceded** in its entirety as follows:

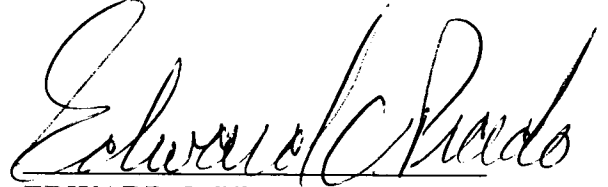
- A. Each active U.S. District Judge residing in the San Antonio Division shall be designated, on a random rotating basis, as Duty Judge. The Duty Judge shall be available to hear and preside over the following:
1. All grand jury matters, including, but not limited to: notices of disclosure pursuant to Rule 6(e)(3)(A)(ii), FED. R. CRIM. P.; Ex Parte motions for disclosure and to produce documents; writs of habeas corpus; motions to compel, produce, or quash; and applications for immunity;
 2. Wiretap and pen register applications in matters not assigned to any District Judge;
 3. Applications for government access to records pursuant to 18 U.S.C. Section 2703 (c)(1)(B);
 4. Matters arising from magistrate judges' proceedings which are not assigned to a District Judge, including but not limited to, release or detention of a defendant and competency examinations;
 5. Emergency naturalization matters; and
 6. Transfer of Jurisdiction (Probation Form 22) cases transferred from another district to this district.
- B. The selection of the Duty Judge for each succeeding month shall be accomplished by a random assignment system which contains the names of the active Judges in an equal number. The random assignment should be done by the Clerk at the beginning of each calendar year for the entire year. This information shall not be made public prior to the week before the beginning of each month.
- C. Any emergency matter arising in a case pending before a Judge who is physically absent from the Western District of Texas may, upon written or oral certification from the Judge's office setting forth grounds therefore, be referred to the Duty Judge to act upon the matter requiring immediate relief in the case. Such cases shall remain on the docket of the Judge to whom it was originally assigned. Uncontested matters

wherein the parties cannot be prejudiced through delay occasioned by the normal course of business, shall not be deemed emergency matters for referral to the Duty Judge.

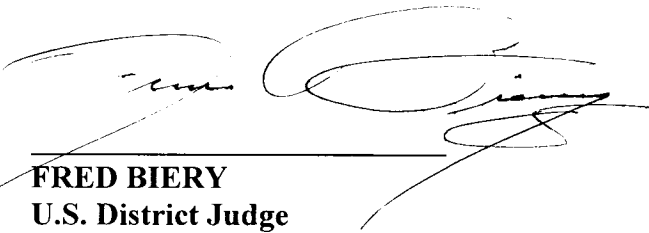
SIGNED and ENTERED this, the 8th day of March, 2001.



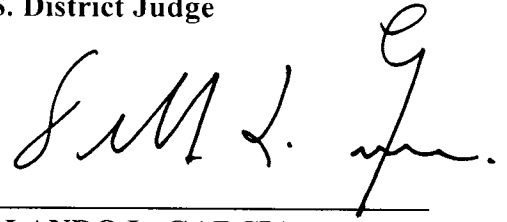
H. F. GARCIA
U.S. District Judge



EDWARD C. PRADO
U.S. District Judge



FRED BIERY
U.S. District Judge



ORLANDO L. GARCIA
U.S. District Judge