

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

BY: Laura Loera  
DEPUTY

**IN THE MATTER OF PREPARING           §  
FOR PLEA HEARINGS AND PLEA       §           ALL CRIMINAL CASES  
AGREEMENT SUBMISSIONS           §**

**STANDING ORDER REGARDING PREPARATION FOR PLEA HEARINGS AND THE  
TIMELINESS OF THE PARTIES' JOINT SUBMISSION OF  
SIGNED PLEA AGREEMENTS**

At the scheduled time of a plea hearing, the courtroom is not a venue to have attorney/client discussions or for the parties to finish any plea negotiations before the plea hearing can proceed. Thus, the parties **SHALL** conduct all plea-hearing preparations before attending such hearings.

When the defendant has agreed to plead guilty pursuant to a plea agreement with the Government, the parties **SHALL** jointly submit to the Court, **no later than three (3) business days before the scheduled plea hearing**, the finalized plea agreement packet (including any addendums) signed by both parties.<sup>1</sup>

If the parties need more time to finalize their joint submission, they **SHALL** jointly file instead, within the same timeframe, a motion for extension of time stating the basis for their request and the date by which the parties anticipate filing the finalized plea agreement packet.<sup>2</sup> The attorneys who jointly file such a motion for extension of time **SHALL** attend the scheduled plea hearing in person and **SHALL NOT** ask another attorney to cover for them, unless the Court permits otherwise for good cause shown.<sup>3</sup>

<sup>1</sup> At Docket Call, the parties ask for a plea setting for several weeks in the future. The Court expects the parties to request this plea setting while anticipating any necessary timing considerations to comply with this Standing Order, e.g., the Defendant should request a plea agreement at the earliest opportunity *and* the Government must not delay in providing it to the defense. The parties should not delay plea negotiations until right before the submission deadline.

<sup>2</sup> Attorneys who sign up for the CJA Panel know that travel is required to visit their clients (including but not limited to the El Paso County Jail Annex, the West Texas Regional Detention Facility, and the Otero County Prison Facility) and are expected to do so in order to comply with this Standing Order.

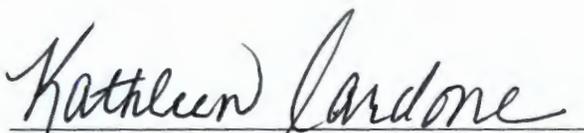
<sup>3</sup> Good cause does not include that an attorney is teleworking.

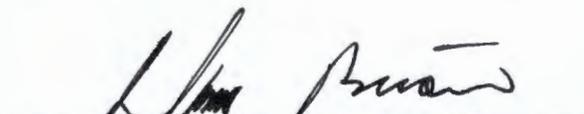
If the parties fail to follow the procedure above, the Court will set and hold a show-cause hearing during which the parties **SHALL INDIVIDUALLY SHOW CAUSE** regarding their failure to abide by this Standing Order. The Active Presiding District Judge for the Western District of Texas, El Paso Division will report the names of the Assistant United States Attorneys, Assistant Federal Public Defenders, and appointed Criminal Justice Act (“CJA”) panel attorneys involved to the United States Attorney for the Western District of Texas, the Federal Public Defender for the Western District of Texas, and the CJA Panel Committee, respectively.

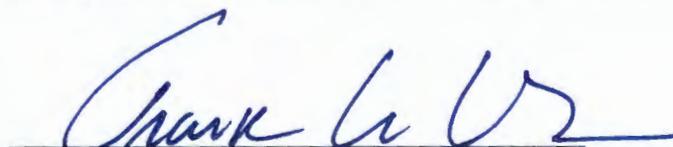
**REPEATED FAILURE TO ABIDE BY THIS STANDING ORDER MAY RESULT IN SANCTIONS, INCLUDING CONTEMPT PROCEEDINGS, AND IN THE CASE OF CJA PANEL ATTORNEYS, SUSPENSION OR REMOVAL FROM THE CJA PANEL.**

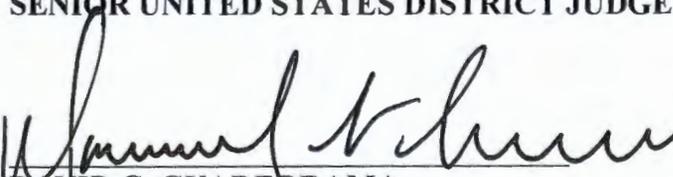
**SO ORDERED.**

SIGNED this 30<sup>th</sup> day of November, 2023.

  
KATHLEEN CARDONE  
UNITED STATES DISTRICT JUDGE

  
DAVID BRIONES  
SENIOR UNITED STATES DISTRICT JUDGE

  
FRANK MONTALVO  
SENIOR UNITED STATES DISTRICT JUDGE

  
DAVID C. GUADERRAMA  
SENIOR UNITED STATES DISTRICT JUDGE