

FILED

June 23, 2026

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION**

BY: David Cano
DEPUTY

**In re: Standing Order in Criminal Cases
before the Honorable United States
District Judge Ernest Gonzalez**



STANDING ORDER REGARDING CRIMINAL CASES

This Standing Order shall apply to all criminal cases before the court of the Honorable U.S. District Judge Ernest Gonzalez. This Standing Order serves to supplement, not replace, the Local Rules of the United States District Court for the Western District of Texas. Failure to comply with this Standing Order may result in sanctions as enumerated herein or as the Court deems appropriate under the law. The Court may depart from this Standing Order on its own initiative or by motion of a party for good cause.

STANDING ORDERS

§ 1: DEFINITIONS	3
§ 2: EXPECTATIONS OF CONDUCT AND DECORUM.....	4
§ 3: CONTACTING THE COURT	5
§ 4: PLEADINGS IN GENERAL	6
§ 5: MOTIONS TO CONTINUE	8
§ 6: HEARINGS AND THE PRESENTATION OF EVIDENCE IN GENERAL	9
§ 7: ANNOUNCING READY FOR TRIAL	11
§ 8: TRIAL	12
§ 9: PRESENTENCE INVESTIGATION REPORTS	13
§ 10: SENTENCING HEARINGS	14
§ 11: GENERATIVE ARTIFICIAL INTELLIGENCE	16
§ 12: SEVERABILITY	17

APPENDICES

APPENDIX A: Form—Consent to Stand-In Counsel

APPENDIX B: Form—Waiver of Trial by Jury

APPENDIX C: Form—Certificate of Generative Artificial Intelligence Usage

§ 1: DEFINITIONS

- (a) The “Court” is the court of the Honorable United States District Judge Ernest Gonzalez.
- (b) The “Local Rules” are the Local Rules of the United States District Court for the Western District of Texas, available at: www.txwd.uscourts.gov/court-information/lcr-introduction/.
- (c) The “Court’s Courtroom Deputy” refers to the courtroom deputy listed on the Court’s Biography web page, available at: www.txwd.uscourts.gov/team/ernest-gonzalez.
- (d) The “Court’s Judicial Assistant” refers to the judicial assistant listed on the Court’s Biography web page, available at: www.txwd.uscourts.gov/team/ernest-gonzalez.
- (e) To “file” a pleading means to:
 - (1) enter the pleading into the Court’s electronic filing system; or
 - (2) submit the pleading in physical form over the counter or by mail to the Clerk’s Office to be entered into the case’s record.
- (f) A “pleading” is any document filed on the record.
- (g) A “motion” is any pleading that makes a formal request for relief of the Court other than an objection.
- (h) An “objection” is any opposition that is not a response to a motion.
- (i) “Generative artificial intelligence” means a computer tool (whether it is referred to as “artificial intelligence” or another name) that is capable of generating new content in response to a prompt or query by learning from a large reference database. This term also includes computer tools that are substantially similar to the computer tools encompassed by this definition.
- (j) Deadlines described in this Standing Order are measured in calendar days.
- (k) Deadlines measured in days prior to an event exclude the day of the event.

Example: The deadline for filing Witness Lists regarding a hearing on a Motion to Suppress is 5 days prior to the hearing. The hearing is scheduled for May 27. Witness Lists must be filed, therefore, by 11:59 PM CST on May 22.

§ 2: EXPECTATIONS OF CONDUCT AND DECORUM

- (a) Parties must adhere to the standards of conduct enumerated in Local Rule AT-5 to the extent that Local Rule AT-5 is consistent with this Order.
- (b) Business attire is expected at all times.
- (c) Water in closed containers is permitted in the well of the courtroom only. No other food or beverage may be consumed anywhere in the courtroom unless permission is obtained from the Court in advance.
- (d) Counsel is permitted to use cellphones and computers in the courtroom for official business only. Use of such devices for any other purpose will result in the loss of this privilege. No other individuals are permitted to use cellphones or computers in the courtroom.
- (e) Parties must refer to each other respectfully, by last name.
- (f) Parties must obtain leave of the Court to be excused from the courtroom while the Court is in session.
- (g) Individuals present in the courtroom must stand when addressing the Court.
- (h) Individuals will refrain from engaging in audible conversations, other than those with the Court, that disrupt the proceedings.
- (i) Parties must speak into a microphone when addressing the Court or witnesses.
- (j) If counsel anticipates possible interruptions to proceedings due to health concerns, scheduling conflicts, or any other circumstances, counsel must advise the Court of such prior to the start of the proceedings at issue.
- (k) Counsel is directed to advise their clients and other individuals that counsel anticipates will be present in the courtroom as to the Court's expectations of conduct and decorum.
- (l) Individuals will adhere to all posted signs and advisories regarding rules and expectations in and around the Courthouse to the extent they are consistent with this Order.

§ 3: CONTACTING THE COURT

- (a) Before contacting the Court with inquiries, parties should first consult the applicable law, the Local Rules, and any relevant scheduling or standing orders of the Court.
- (b) For case-related matters, parties must contact the Court's Courtroom Deputy.
- (c) For non-case-related matters, parties must contact the Court's Judicial Assistant.
- (d) For case-related matters, parties must include the opposing party in all communications with the Court unless otherwise permitted by law or rules of professional conduct.
- (e) Parties may not contact the Court directly regarding the status of a pending motion. The Court will address all pending motions in a timely manner as provided for under the law.
- (f) Parties may not contact the Court's Law Clerks directly with questions about a case.

§ 4: PLEADINGS IN GENERAL

- (a) Counsel is required to confer on all motions except motions properly filed *ex parte*. Counsel should indicate whether a motion is “opposed” or “unopposed” by either:
 - (1) Indicating as such in the body or title of the motion; or
 - (2) Including a certificate of conference in the motion that states whether the motion is “opposed” or “unopposed.”
- (b) Parties must file a motion for leave to file any pleading after the deadline for the pleading’s filing has expired. The motion for leave must:
 - (1) Explain the reason for the filing’s untimeliness; and
 - (2) State good cause why the Court should grant permission to file out of time.
- (c) Parties may file amended or corrected pleadings prior to the expiration of the deadline for the original pleading’s filing without requesting leave of the Court. Parties must obtain leave of the Court to amend or correct pleadings after the deadline for the original pleading’s filing expires, unless otherwise permitted by law.
- (d) Requests for extensions of time must be filed as a motion before the deadline sought to be extended expires. The motion must:
 - (1) Explain the reason why an extension is needed; and
 - (2) Propose a specific period of extension.
- (e) A party that opposes a motion must file a response. Failure to timely file a response to an opposed motion may result in the Court granting the motion as unopposed.
- (f) Local Rule CR-47(b) reflects the deadline for filing responses to motions. Pursuant to Local Rule CR-45, parties should consult Federal Rule of Criminal Procedure 45 in calculating deadlines under Local Rule CR-47(b).
- (g) A movant may file a reply to a response to the motion. Local Rule CV-7(E) will govern the requirements and rules regarding replies to responses.
- (h) Should a party desire a hearing on a motion, such request must be set out in the motion. The Court will notify the parties if it deems a hearing is necessary. The Court retains the discretion to hold hearings on motions on a case-by-case basis as the Court sees fit, except as otherwise required by law.
- (i) When a party believes a hearing on a motion is required by law, the party must state in the motion:

- (1) That a hearing is required on the motion; and
 - (2) The legal basis for the application of the requirement.
- (j) When a contested motion has been resolved prior to the Court issuing a ruling on the motion, or the movant no longer seeks the requested relief, the Court will not order the motion withdrawn or struck unless the movant files a motion to withdraw or strike the motion and:
- (1) The movant certifies to the Court that the contested motion has been resolved or that the movant no longer seeks the requested relief; or
 - (2) The parties file a joint notice indicating that the motion has been resolved.
- (k) Parties should not append copies of legal authorities to a motion. If the Court requires a party to produce copies of legal authorities, it will order the party to do so.
- (l) Briefs by letter will not be accepted unless the Court finds good cause to do so. A party who seeks any form of relief must file the request in the form of a motion.
- (m) When a party files a pleading considered time-sensitive, a courtesy email should be sent to the Court's Courtroom Deputy. Unless otherwise permitted by law or rules of professional conduct, the opposing party must be included in the communications with the Court.
- (n) Any communication, including emails, with the Court requesting that a defendant's case be set for a arraignment or plea hearing will be interpreted as a motion for the purposes of the Speedy Trial Act.

§ 5: MOTIONS TO CONTINUE

- (a) Motions to continue must state:
 - (1) The legal and factual basis for the continuance; and
 - (2) The effect of the continuance on the defendant's rights under the Speedy Trial Act.
- (b) For all motions to continue requested by a defendant in a multi-defendant case, the moving party must confer with defense counsel for co-defendants and indicate whether any co-defendants oppose the continuance.

§ 6: HEARINGS AND THE PRESENTATION OF EVIDENCE IN GENERAL

- (a) It is the policy of the Court not to conduct proceedings virtually. All participants in any proceeding before the Court must appear in person. A request for virtual appearance must be filed as a motion no later than 5 days prior to the scheduled appearance.
- (b) Parties have the responsibility to ensure that the courtroom's technical equipment can accommodate the form in which the parties wish to present demonstratives or evidence. Parties may contact the Court's Courtroom Deputy for questions about the courtroom's equipment and to schedule tests of the equipment, should the Court's schedule permit.
- (c) Parties that wish to utilize their own equipment to present demonstratives or evidence must first coordinate the use of the equipment with the Court's Courtroom Deputy.
- (d) If a party wishes to present evidence for the Court's consideration at any hearing, the following items must be filed no later than 5 days prior to the hearing unless the Court grants leave for late filing:
 - (1) A list of all exhibits the party intends to introduce;
 - (2) A list of all witnesses from whom the party intends to elicit testimony or that will give a statement in open court;
 - (3) Photographic exhibits, should the party wish to present the photographs for the Court's consideration; and
 - (4) Any other exhibits that are in documentary form capable of being filed.
- (e) If a party wishes to present evidence for the Court's consideration in video or audio form, the party must produce the video or audio evidence in a Compact-Disc to the Court's Courtroom Deputy according to the deadline enumerated in Section 6(d). If a party is unable to produce the video or audio evidence in a Compact-Disc, the party must notify the Court's Courtroom Deputy. Regardless of the form in which evidence is submitted, it must be done so by the deadline enumerated in Section 6(d).
- (f) Defense Counsel wishing to appear on behalf of a defendant, but who is not the attorney of record for that defendant, must submit to the Court the "Consent to Stand-In Counsel" form, attached to this Standing Order as Appendix A, prior to the proceedings become in session. Defense Counsel should submit the completed form:
 - (1) By email to the Court's Courtroom Deputy; or
 - (2) By physical copy provided to the Court's Courtroom Deputy.
- (g) Counsel is directed to use professional discretion in requesting to approach the Court for a bench conference. In the interest of transparency, it is the Court's preference that

arguments and representations be made in open court without approaching the bench whenever possible. Counsel should consult Local Rule AT-5 for guidance on requesting leave to approach the bench for a bench conference.

- (h) Counsel must address witnesses from the podium, unless leave is otherwise granted by the Court.
- (i) Counsel must request permission before approaching a witness.
- (j) If Defense Counsel believes that a detained defendant's presence is necessary at Docket Call, Defense Counsel must make a request to the Court's Courtroom Deputy that the defendant be brought to the courtroom for Docket Call no later than 12:00 PM CST the day before Docket Call.
- (k) The Court may, without request of Counsel, order a defendant's appearance at Docket Call if the Court believes the defendant's presence to be necessary.

§ 7: ANNOUNCING READY FOR TRIAL

- (a) When parties announce ready for trial, the parties must state the expected duration of the trial in days.
- (b) After a defendant announces ready for trial, it is the policy of the Court that should the defendant be convicted, the defendant may not, at the Court's discretion, receive a reduction of the defendant's offense level calculation at sentencing under Federal Sentencing Guidelines Section 3E1.1 (acceptance of responsibility).
- (c) After parties announce ready for trial, the Court will not continue the trial except in exceptional circumstances or if required by law.
- (d) Parties must notify the Court of a defendant's intent to change their plea to guilty no later than 14 days before trial. It is the policy of the Court that defendants who notify the Court of their intent to plead guilty less than 14 days before trial may, at the Court's discretion, not be permitted to plead guilty pursuant to a plea agreement and, instead, will be required to plead to the entirety of the charges on which the defendant sought a trial.

§ 8: TRIAL

- (a) Section 6 of this Standing Order is incorporated herein except for Sections 6(d) and 6(e). In each case after parties announce ready for trial, the Court will issue a trial-specific scheduling order.
- (b) The day of trial referred to in the Court's trial-specific scheduling order is the day on which jury selection is scheduled.
- (c) Deadlines that the Court's trial-specific scheduling order imposes are measured in calendar days.
- (d) The Court's policy is to hold a pre-trial conference the morning of the commencement of trial. That pre-trial conference will generally begin at 9:00 AM CST.
- (e) Whenever possible, parties must source proposed jury instructions from the most recent edition of the Fifth Circuit Pattern Jury Instructions or instructions otherwise approved by the Fifth Circuit Court of Appeals. Counsel must cite to the source of any proposed jury instructions that are not sourced from the Fifth Circuit Pattern Jury Instructions.
- (f) Prior to the commencement of a bench trial, Defense Counsel must submit to the Court the "Waiver of Trial by Jury" form attached to this Standing Order as Appendix B. The completed form may be submitted:
 - (1) By email to the Court's Courtroom Deputy; or
 - (2) By physical copy provided to the Court's Courtroom Deputy.
- (g) Counsel is not required to remain at the podium or counsel table while conducting voir dire, opening statements, and closing statements.
- (h) Counsel may not approach so close to the gallery while conducting voir dire that Counsel would touch or go beyond the barrier between the gallery and the well.
- (i) Counsel may not approach so close to the jury during opening and closing statements that Counsel would touch the front of the jury box, but counsel may request the Court's leave to place exhibits on the front railing of the jury box.

§ 9: PRESENTENCE INVESTIGATION REPORTS

- (a) Counsel is directed to consult Federal Rule of Criminal Procedure 32 regarding deadlines and requirements related to Presentence Investigation Reports.
- (b) Any counsel that is unfamiliar with the practices of the Del Rio Division with regard to submitting objections and responses to objections to Presentence Investigation Reports is strongly encouraged to contact the Court's Courtroom Deputy to ensure timely adherence to Federal Rule of Criminal Procedure 32 and this Standing Order.
- (c) Objections to Presentence Investigation Reports must be submitted in the form of a motion.
- (d) Parties are required to respond to opposed objections to a Presentence Investigation Report.
- (e) Responses to objections must be submitted no later than 7 days prior to the sentencing hearing to which the objected-to Presentence Investigation Report relates.

§ 10: SENTENCING HEARINGS

- (a) Section 6 of this Standing Order is incorporated herein.
- (b) It is the policy of the Court to conduct “group sentencings” in some circumstances, during which the Court will admonish multiple defendants simultaneously. The Court then provides an opportunity for objections, corrections, and allocutions individually in each case. For any questions regarding group sentencings, parties may contact the Court’s Courtroom Deputy.
- (c) If a party wishes to present evidence for the Court’s consideration at a sentencing hearing, the party must:
 - (1) Adhere to the requirements of Sections 6(d) and 6(e);
 - (2) File the materials under seal; and
 - (3) Transmit the materials to opposing counsel, unless otherwise provided by law or rules of professional conduct.
- (d) Notwithstanding Section 6(d), letters of support must be submitted to the Court’s Courtroom Deputy or submitted by mail to the Court no later than 14 days prior to the sentencing of the defendant to whom the letters refer. Parties may request the Court’s leave to submit letters of support after the deadline for submissions expires.
- (e) Individuals who wish to give a statement on a defendant’s behalf at sentencing may do so from the podium or the witness box.
- (f) At the beginning of any sentencing hearing in which a group sentencing is anticipated, counsel should indicate whether their client has any objection to the sentencing hearing proceeding in that manner.
- (g) It is the policy of the Court that for a defendant to receive a reduction of the defendant’s offense level calculation at sentencing under Federal Sentencing Guidelines Section 3E1.1 (acceptance of responsibility), the defendant must admit to all material elements of the offense as well as all relevant conduct.
- (h) It is defense counsel’s responsibility to notify the defendant of pertinent sentencing hearing settings and, if the defendant is on bond, advise the defendant to be present at sentencing. Defense counsel may be adjudged in civil contempt for failure to ensure a bonded defendant’s appearance at sentencing.
- (i) Motions by the Government under Federal Sentencing Guidelines Sections 3F1.1 (Early Disposition Programs, formerly Section 5K3.1) and 5K1.1 (Substantial Assistance to Authorities) must be filed no later than 12:00 PM CST the day before the sentencing of the defendant to whom the motion applies.

- (j) Motions under Federal Rule of Criminal Procedure 35 must be filed for the Court's consideration.
- (k) Prior to a defendant's sentencing hearing, defense counsel must review with the defendant the standard and mandatory conditions of supervised release, which are adopted by standing order by the Western District of Texas as amended on November 28, 2016. At the time of sentencing, the Court will ask defense counsel whether such review has occurred.
- (l) Any objections to conditions of supervised release must be raised before or at the time of sentencing.


§ 11: GENERATIVE ARTIFICIAL INTELLIGENCE

- (a) If counsel utilizes generative artificial intelligence to draft or assist in drafting a pleading, counsel must include with the pleading a “Certificate of Generative Artificial Intelligence Usage,” an example of which is appended to this Standing Order as Appendix C. The certificate must disclose the use of generative artificial intelligence and certify that counsel has independently verified the accuracy of any portion of the document drafted or assisted by the tool. Counsel must further certify that the use of generative artificial intelligence has not resulted in the disclosure of confidential or privileged information to an unauthorized party.
- (b) Counsel is strictly responsible for the legal and factual representations made to the Court, and false or misleading representations to the Court resulting from the use of generative artificial intelligence may result in attorney discipline.

§ 12: SEVERABILITY

- (a) If any provision or application of any provision of this Standing Order is held invalid, amended, or otherwise determined to be not in effect, such shall not affect any other provision or application of any provision of this Standing Order, and, to that end, the provisions of this Standing Order are severable.

SIGNED, this 8th day of June 2026.


ERNEST GONZALEZ
UNITED STATES DISTRICT JUDGE

APPENDIX A

APPENDIX B

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION**

UNITED STATES OF AMERICA,
Plaintiff,

v.

Defendant.



Case No.: _____

Defendant's Attorney of Record

WAIVER OF TRIAL BY JURY

Section A: Defendant's Waiver

I, _____, the undersigned Defendant, having been advised of my rights under the Constitution and laws of the United States to a speedy and public trial by jury, hereby waive the right to a trial by jury and requests the Court to try all charges against me in the case without a jury.

Date

Signature of Defendant

Section B: Defense Counsel Acknowledgement

I, _____, the undersigned attorney for the Defendant, herein represent that prior to the signing of the foregoing waiver, the Defendant was fully advised as to the rights of an accused under the Constitution and laws of the United States to a speedy and public trial by jury, and the right to request special findings in a case tried without a jury; and further represents that, in his opinion, the above waiver by the defendant of trial by jury is voluntary and understandingly made, and recommends to the Court that the waiver be approved.

Date

Signature of Attorney for Defendant

Address

E-mail Address

State Bar Card Number

Telephone Number

Section C: Government's Consent

The United States Attorney hereby consents that the case be tried without a jury.

Date

Signature of Assistant United States Attorney

Address

E-mail Address

Telephone Number

State Bar Card Number

Section D: Judicial Approval

Date Approved

**ERNEST GONZALEZ
UNITED STATES DISTRICT JUDGE**

APPENDIX C

CERTIFICATE OF GENERATIVE ARTIFICIAL INTELLIGENCE USAGE

This document was generated with the assistance of [*Name of Program*], a generative artificial intelligence tool. I hereby certify that I have independently verified the accuracy of the legal and factual assertions contained in this document. I further certify that the use of generative artificial intelligence has not resulted in the disclosure of any confidential or privileged information to any unauthorized party.