

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

**HONORABLE ANNE T. BERTON**

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**All Criminal Trials**

**STANDING ORDER REGARDING TRIAL PREPAREDNESS  
IN CRIMINAL TRIALS**

This Standing Order is to inform counsel of the courtroom practices and procedures before the undersigned in all criminal trials. Counsel should carefully **REVIEW** and **COMPLY** with the following:

**A. Pretrial Motions**

The parties should file any motions in limine (not applicable to bench trials), motions to dismiss, motions to suppress, or any other motions as soon as possible but **no later than ten days before trial**. Any response **shall be due within three days**.

**B. Required Disclosures**

**No later than two weeks before trial**, the Government shall satisfy its obligations under *Brady v. Maryland*, 373 U.S. 83 (1963), *United States v. Giglio*, 405 U.S. 150 (1972), and *Napue v. Illinois*, 360 U.S. 264 (1959). It shall be the continuing duty of counsel for both sides to reveal to opposing counsel all newly discovered information or other material within the scope of this Standing Order.

**C. Opening Statements**

The Court will limit opening statements to ten minutes per side. Only in special circumstances (for example multiple defendants) will the Court consider allowing additional time for opening statements.

**D. Witnesses**

Counsel shall submit a list of any potential witnesses.

**E. Interpreters**

Any need for an interpreter, for a defendant or witness, should be communicated to my law clerk as soon as possible but no later than **one week before trial**.

**F. Technology**

The parties must notify the Court as soon as possible but no later than **one week before trial**, if they intend to use laptops, tablets, or other electronic presentation devices of any kind (including the presentation of paper exhibits on an ELMO Document Camera). **If counsel fails to notify the Court, counsel may be unable to use an electronic presentation device** and no extensions of time or accommodations will be made for delays caused by the unavailability of electronic presentation methods. **Counsel are advised that the technology in the Magistrate Courtrooms differs significantly from that of the District Courtrooms.**

**G. Exhibits & Filings Required**

- (1) As soon as possible, **but no later than the day before trial is set**, counsel shall **file** the following:
  - (a) A list of any proposed stipulated facts;
  - (b) A list of any exhibits, with a space to mark whether or not the exhibit was admitted;
  - (c) A list of any potential witnesses; and
  - (d) An estimate of the probable length of trial.
- (2) In addition to the above filings, Counsel shall mark exhibits in accordance with Local Rule CR-17.1 and submit **four notebooks on the day of trial** as follows:
  - (a) Two notebooks for the Judge and the law clerk which shall contain:
    - (1) A list of any proposed stipulated facts;
    - (2) A list of any exhibits, with a space to mark whether or not the exhibit was admitted;
    - (3) All exhibits;
    - (4) A list of any witnesses; and

- (5) An estimate of the probable length of trial.
- (b) One notebook for opposing counsel and one notebook for the witness stand which **shall contain all exhibits**.
- (3) Any exhibit impracticable for paper submission may be submitted by USB drive, CD/DVD, email, or other appropriate electronic means to my law clerk.

**SO ORDERED.**

**SIGNED** this 19th day of July, 2019.

A handwritten signature in black ink, consisting of a large, stylized 'A' followed by a series of loops and a horizontal line extending to the right.

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**ANNE T. BERTON**  
**UNITED STATES MAGISTRATE JUDGE**