

FILED

JUL 28 1 18 PM '86

CLERK OF DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
AT SACRAMENTO
BY AB
DEPUTY

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

IN RE:)
)
ORDER AMENDING LOCAL)
RULES 160, 190 and)
284.)
_____)

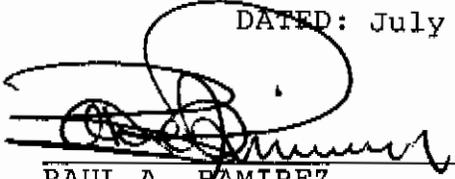
GENERAL ORDER NO. 197

Good cause appearing:

IT IS ORDERED that the amendments to the Local Rules listed below and detailed in the attachments hereto are hereby adopted:

- Local Rule 160
- Local Rule 190
- Local Rule 284

DATED: July 28, 1986



RAUL A. RAMIREZ
U.S. DISTRICT COURT JUDGE



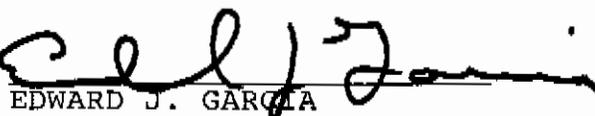
LAWRENCE K. KARLTON, CHIEF
U.S. DISTRICT COURT JUDGE



ROBERT E. COYLE
U.S. DISTRICT COURT JUDGE



MILTON L. SCHWARTZ
U.S. DISTRICT COURT JUDGE



EDWARD J. GARCIA
U.S. DISTRICT COURT JUDGE



EDWARD DEAN PRICE
U.S. DISTRICT COURT JUDGE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Local Rule 160
NOTICE OF SETTLEMENT OR OTHER DISPOSITION

(a) **Notice.** When an action has been settled or otherwise disposed, or when any motion seeking general or interim relief has been resolved, whether by settlement conference or out of Court, it is the duty of counsel to inform the courtroom deputy and the assigned Court's chambers immediately. See also LR 284.

(b) **Dispositional Documents.** Upon such notification of disposition or resolution of an action or motion, the Court shall thereupon fix a date upon which the documents disposing of the action or motion must be filed, which date shall not be more than 20 days from the date of said notification. The Court may, on good cause shown, extend the time for filing the dispositional papers. A failure to file dispositional papers on the date prescribed by the Court may be grounds for sanctions. See also LR 284.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Local Rule 190
PETITIONS FOR HABEAS CORPUS AND
MOTIONS PURSUANT TO 28 U.S.C. §2255

(a) Scope of This Rule.

All petitions for writs of habeas corpus pursuant to 28 U.S.C. §2254 and motions filed pursuant to 28 U.S.C. §2255 shall be subject to the provisions of this rule unless otherwise ordered by the court.

(b) Form of Petitions and Motions.

The petition or motion shall be printed in ink or typewritten, and signed under penalty of perjury, and, if presented in propria persona, upon the form and in accordance with the instructions approved by the court. Copies of the forms and instructions shall be supplied by the clerk upon request. In the event a petition or motion is submitted that is not in the proper form, the clerk shall forthwith mail the proper form and instructions to the person submitting the petition or making the motion.

(c) Filing.

Petitions and motions shall be addressed to the Clerk of the United States District Court for the Eastern District of California, 650 Capitol Mall, Sacramento, California 95814 or 1130 O Street, Fresno, California 93721, according

to Local Rule 120(b). Petitioners shall send to the clerk an original and one copy of the completed petition or motion. No petition or motion shall be addressed to an individual Judge.

(d) Assignment.

Petitions shall be assigned by the clerk pursuant to the Rules of the Court, provided that motions under 29 U.S.C. §2255 shall, if possible, be assigned to the sentencing Judge. If the petitioner has previously filed a petition for relief or for a stay of enforcement in the same matter in this court, the new petition shall be assigned to the judge who considered the prior matter.

(e) Contents.

(1) All petitions by state prisoners shall state with specificity that all issues raised in the petition, either:

A. have been raised before all state tribunals in which the issues could be heard, to the exhaustion of petitioner's state remedies;
or

B. have not been raised before all state tribunals in which the issues could be heard, in which case the petition shall also set forth all facts which justify the failure to exhaust state remedies.

(2) All petitions shall state whether or not petitioner has previously sought relief arising out of the same matter

from this court or any other federal court, together with the ruling and reasons given for denial of relief.

(3) In a capital case the petition shall set forth any scheduled execution date.

(f) Where Relief Granted.

If relief is granted on a petition of a state prisoner or if any stay of execution of state court judgment is issued by this court, the clerk shall forthwith notify the state authority having jurisdiction over the prisoner of the action taken.

(g) Procedure in Capital Cases.

Other provisions of these Local Rules and General Orders of this court notwithstanding, the following rules apply on a petition of a state prisoner in a case where the death penalty has been imposed:

(1) Where an evidentiary hearing has been conducted in this court, the court shall order a transcript immediately for the purpose of appellate review.

(2) If relief is denied and a certificate of probable cause is issued, the court will also grant a stay of execution to continue in effect until such time as the Court of Appeals acts in the matter; and the clerk of this court shall forthwith notify the Clerk of the Court of Appeals of the action taken.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Local Rule 284
NOTICE OF SETTLEMENT

(a) General Rule. See LR 160.

(b) Sanctions. If for any reason attributable to counsel or parties, including settlement, the court is unable to commence a jury trial as scheduled where a panel of prospective jurors has reported for voir dire, the court may assess against counsel or parties responsible all or part of the cost of the panel.

*New matter is underlined.