

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE

FILED BY *Wolo* D.C.

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Re: Order Amending Local Rule 83.3
Assignment of Cases

Administrative Order
No. 2009-20
THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENNESSEE

ORDER

Pursuant to the rule-making authority granted the court by 28 U.S.C. § 2071, and in conformance with the decision of the court reached October 15, 2009, Local Rule 83.3 is hereby amended at section (a) to indicate that the case assignment system will be used in both divisional offices of the Western District of Tennessee and at section (a)(1) to permit referral of certain cases to a magistrate judge for reports and recommendations. The amended sections of the rule will read:

- (a) Initial Assignment of Cases . Unless otherwise ordered, cases in the Western District of Tennessee shall be assigned according to the following rules:
- (1) Upon the filing of a complaint, the clerk shall assign each civil case, except bankruptcy appeals, cases requesting temporary restraining orders or other preliminary injunctive relief, habeas corpus cases, §2255 and § 2254 cases, *pro se* cases, *in rem* forfeiture cases , and death penalty cases to either a district judge or a magistrate judge, as the presiding trial judge, by random selection using a system that insures that assignments are made on a random basis, without consideration of the identity of the judge in making the assignment. For each case assigned to a district judge as presiding judge, a magistrate judge will also be assigned to hear and decide non-dispositive pretrial and discovery matters. Unless otherwise ordered, Eastern Division cases will be assigned only to either the district judge or the magistrate judge who currently sit in Jackson as the presiding judges.

The Clerk of Court shall cause notice of these amendments to be published on the court's

web page for a period of thirty days, and thereafter furnish a copy of Amended Local Rule 83.3 to the Judicial Council of the Sixth Circuit.

DONE and ORDERED as Memphis, Tennessee on this 20 day of October 2009.



CHIEF, UNITED STATES DISTRICT JUDGE