

## **Local Criminal Rule 49. Form of pleadings and other papers; filing requirements**

49.1 Place of filing - Pleadings and other papers may be filed with the Clerk at any divisional office. If a hearing is scheduled, it is incumbent upon the party to insure that the judge or magistrate judge receives a copy of such relevant pleadings or other papers sufficiently in advance of the hearing. A locked filing depository is provided for filing documents during business and certain non-business hours. The Clerk will retrieve documents from the filing depositories twice during each business day. Documents are considered filed with the Court on the date and at the time indicated by the time stamp provided at each filing depository. Documents that are not stamped with the time stamp will be considered filed with the Court on the date and at the time they are retrieved by the Clerk's office.

49.2 Paper size and format - All documents must be double spaced in 8½ x 11 inch format with writing on only the face of each sheet. Type must be no smaller than 12 point type and all margins must be at least one inch.

49.3 Binding - All pleadings and other papers that have numerous pages must be bound with a fastener. Originals should be stapled or bound on the top margin with a two-hole fastener. Copies may be bound in the same manner as originals or in a binder. Paper clips and other types of clips shall not be used; fasteners shall pass through the pages.

49.4 Date, address and telephone number - All pleadings and other papers shall contain the date of signing and the address and telephone number of the signing attorney or pro se party.

49.5 Number of copies - All traditionally filed documents must be filed in duplicate -- the original and one copy. If service of any paper is to be made by the United States Marshal, sufficient additional copies shall be supplied for service upon each other party. If file stamped copies of documents are requested to be returned to the offering party, a suitable self-addressed, postage paid envelope shall be supplied.

49.6 Proof of service - Proof of service of all pleadings and other papers required or permitted to be served shall be filed promptly after service and may be made by written acknowledgment of service, by affidavit of the person making service or by written certification of counsel. Proof of service shall state the date and manner of service. Proof of service is unnecessary for documents served electronically on a registered attorney.

49.7 Tendering of orders - A party tendering an order for entry must supply the Clerk with the original for the judge. All orders will be distributed to the parties by the Clerk.

### 49.8 Filing under seal

- (a) Request to seal - Requests to seal a document must be made by motion and will be granted only upon good cause shown. If the document accompanies the motion, it shall be clearly labeled "Proposed Sealed Document" and shall

include an envelope suitable for sealing the document. The envelope shall have the caption of the case, case number, title of document, and the words "Contains Sealed Documents" prominently written on the outside. The document shall not be considered sealed until so ordered by the Court.

- (b) Documents submitted pursuant to court order - A document submitted pursuant to a previous order by the Court authorizing the document to be filed under seal shall be clearly labeled "Sealed Document," shall be submitted in an envelope suitable for sealing the document, and identify the order or other authority allowing filing under seal. The caption of the case, case number, title of document, and the words "Contains Sealed Documents" shall be prominently written on the outside of the envelope.

49.9 Rejection of filings - The Court may order the Clerk to reject any pleading or other paper that does not comply with these rules or the Federal Rules of Criminal Procedure unless such noncompliance is expressly approved by the Court. The Clerk shall return any rejected filing to the party tendering it, along with a statement of the reasons for rejection.