

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: Rule 50.1 of the Local Rules of Criminal Procedure,
*Assignment of Criminal Business***

NOTICE

Pursuant to 28 U.S.C. §2071(b) and §2077 and Federal Rule of Criminal Procedure 57(a)(1), authorizing the court to promulgate Local Criminal Rules not inconsistent with the Federal Rules of Criminal Procedure and applicable statutes, the judges of the United States District Court for the Eastern District of Pennsylvania, on April 27, 2009, approved for publication and solicitation of comment, an amendment to Rule 50.1 of the Local Rules of Criminal Procedure, *Assignment of Criminal Business*, proposing to include new Sections (d)(3), (d)(4) and (d)(5), describing the circumstances under which a criminal case may be deemed related for purposes of case assignment, as set forth below:

50.1(d)(3) - At the time of filing any criminal indictment or information, counsel for the government shall indicate whether a case is related to any other prior or pending action in this court. Criminal cases are deemed related if a defendant or defendants are alleged to have participated in the same action or transaction, or in the same series of acts or transaction, constituting an offense or offenses.

50.1(d)(4) - If the fact of relationship is indicated on the appropriate form at the time of filing, the assignment clerk shall assign the case to the same judge to whom the earlier numbered related case is assigned. If the judge receiving the later case determines that the relationship does not exist, the judge shall refer the case to the assignment clerk for reassignment by random selection in the same manner as if it were a newly filed case.

50.1(d)(5) - If the relationship does not become known until after the case is assigned, the judge receiving the later case may refer it to the Chief Judge for reassignment to the judge to whom the earlier related case is assigned. If the Chief Judge determines that the cases are related, the Chief Judge shall transfer the later case to the judge to whom the earlier case is assigned. Otherwise, the Chief Judge shall return the later case to the judge to whom it was originally assigned.

Those wishing to comment on the proposed amendments may do so by submitting their comments in writing to Michael E. Kunz, Clerk of Court, United States Courthouse, 601 Market Street, Room 2609, Philadelphia, PA 19106, or by e-mail at PAED_clerksoffice@paed.uscourts.gov no later than Friday, June 19, 2009.

Those wishing to obtain copies of Rule 50.1 of the Local Rules of Criminal Procedure, *Assignment of Criminal Business*, may do so by accessing the District Court's website at <http://www.paed.uscourts.gov>. Or Copies may also be obtained by writing to Michael E. Kunz, Clerk of Court, United States Courthouse, 601 Market St., Room 2609, Philadelphia, PA, 19106, by obtaining them in person at the Clerk's Office, or by submitting a faxed request to the Clerk's Office at 215-597-6390.

HARVEY BARTLE III,
Chief Judge