



**JUDGE HILDA G. TAGLE**

United States Courthouse  
600 East Harrison, Room 306  
Brownsville, Texas 78520-7114  
(956) 548-2510

Stella Cavazos, Case Manager  
United States District Clerk  
600 East Harrison, Room 101  
Brownsville, Texas 78520-7114  
(956) 548-2628

## **CRIMINAL PROCEDURES**

1. CONTACT WITH COURT PERSONNEL
2. EMERGENCIES
3. CONTINUANCES
4. MOTION PRACTICE
5. ELECTRONIC FILING
6. TRIALS
7. JURY TRIALS
8. EXHIBITS
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Note: This is helpful information. Nothing in it supersedes formal rules or common sense.

1. **CONTACT WITH COURT PERSONNEL**

- A. Case-related telephone inquiries are to be made to the Case Manager only. **Inquiries should not be made to the Court's secretary or law clerks.**
- B. Courtesy copies of documents filed less than three (3) days prior to a Court setting **must** be delivered to Chambers after originals are filed with the Clerk of the Court.
- C. Information about the filing of documents, entry of orders, or docket entries should be obtained from the Clerk's office at (956) 548-2528 for criminal matters.
- D. Correspondence
  - 1. Substantive issues shall not be addressed in letter form because they are not docketed or included in the appellate record.
  - 2. Case-related correspondence must be addressed to:

United States District Clerk  
600 East Harrison Street, Suite 101  
Brownsville, Texas 78520-7114

2. **EMERGENCIES**

- A. Counsel should contact the Case Manager at (956) 548-2628 for matters requiring immediate attention.
- B. **A copy of emergency motions must be sent directly to Chambers so that they may be brought to the Court's attention promptly.**

3. **CONTINUANCES**

- A. Joint motions for continuances will be granted only at the Court's discretion.
- B. Trial will not be continued because an expert or medical witness is unavailable. Counsel should anticipate such possibilities and be prepared to present testimony by written deposition, videotaped deposition, or by stipulation.

4. **MOTION PRACTICE**

- A. Motions must contain a certificate that opposing counsel was consulted but no agreement could be reached.
- B. Non-opposition to a motion must be indicated prominently in the caption.
- C. If an evidentiary hearing is necessary, counsel should notify the Case Manager in advance. Exhibit and witness lists (the originals and **ONE** copy of each) will be provided to the Court at the hearing.
- D. Motions in criminal cases will be considered by the assigned United States Magistrate Judge. Dispositive motions, i.e., motions to suppress and motions to dismiss, etc., will be considered by the United States District Judge as scheduled by the court. Motions to suppress must be plead with specificity and not filed solely for discovery purposes. Failure to plead with specificity will result in the motion being struck or denied.

5. **ELECTRONIC FILING**

Special Procedures Related to Electronic Filings

- A. Nearly all cases filed in this District must be filed through the Electronic Case Filing System (ECF). The parties shall submit a paper hard courtesy copy **to the District Clerk's Office of all filings, including any attachments, that are greater than 25 pages in length.** Stated differently, any single submission containing a motion, brief, and attachments that *together* contain a total of 25 pages or more must be filed both electronically and in hard courtesy copy directly to the District Clerk's Office.
- B. Counsel should **NOT** attempt to avoid the above requirement by unnecessarily separating a motion, brief, and attachments or exhibits into separate submissions. *See 5.I.*
- C. Both the hard courtesy copy and the electronic filing must be filed on the same day.
- D. When provided, hard courtesy copies to the District Clerk's Office **must** be submitted **in addition to** the electronic filing of the documents.

6. **TRIALS**

- A. Counsel must provide their exhibit and witness list (the originals and **ONE** copy of each) for ALL trials and hearings. *See* attached forms.
- B. The Court generally holds one trial docket call each month. This docket call is the final pretrial conference.
- C. All pending motions may be ruled on at docket call. Guilty pleas may be taken at that time.
- D. Re-arraignments:
  - 1. Once a plea agreement is reached, counsel shall notify the Case Manager immediately.
  - 2. The Magistrate Judge may conduct re-arraignments in felony cases as requested by the Court.
  - 3. Re-arraignments taken after a jury has been selected but before commencement and presentation of evidence may result in loss of 5k. reductions for early plea.

7. **JURY TRIALS**

- A. Jury selection is generally scheduled to occur at the beginning of each month. Unless an attorney has commenced trial in another court, prior trial settings will not cause a case to be continued.
- B. Counsel must file an original and one copy of any proposed voir dire questions and proposed jury instructions (captioned, signed by counsel, and with service certificate). Each proposed voir dire question must be in question form.
- C. The jury instructions must be simple and concise. Each requested instruction must be numbered and presented on a separate sheet of paper with the citation of authority upon which counsel rely. Jury instructions need not be submitted in electronic format, unless otherwise instructed by the Court. If so instructed, a copy of the jury instructions must be submitted in Word Perfect ® format on a compact disc (CD).
- D. The Court will conduct the examination of the venire.

8. **EXHIBITS**

- A. All exhibits must be marked and exchanged among counsel prior to trial. The offering party will mark each of his own exhibits with the party's name, case number, and exhibit number.
- B. The Court will admit all exhibits without objection into evidence as the first order of business. Sensitive exhibits (e.g., weapons, drugs, and money) will remain in the custody of the government agent throughout the proceedings.
- C. Counsel will not pass exhibits to the jury during trial without obtaining permission in advance from the Court. All admitted exhibits will go to the jury during its deliberations.
- D. Counsel for each party is required to provide the Court with two copies of that party's exhibits in a properly tabbed and indexed notebook.
- E. Disposition of Exhibits Following Trial:
  - 1. Exhibits that are not easily stored in a file folder (e.g., posters, parts, or models) must be withdrawn after the completion of the trial and reduced reproductions or photographs substituted.
  - 2. If there is no appeal, exhibits will be removed by the offering party within thirty (30) days after disposition of the case.
  - 3. When there is an appeal, exhibits returned by the Court of Appeals will be removed by the offering party within ten (10) days after written notice from the clerk.
  - 4. Exhibits not removed will be disposed of by the clerk, and the expenses incurred will be taxed against the offering party.

9. **EQUIPMENT**

- A. Counsel are responsible for providing any equipment necessary to facilitate opening/closing arguments. If counsel plans to bring equipment to trial, inform the Case Manager so arrangements can be made to accommodate security.
- B. Easels with writing pads, drawing boards, and a visualizer are available for use in the courtroom. Equipment is available for videotapes or CD-ROMs.

- C. The visualizer (ELMO) is available for projecting letter-sized documents (or smaller) including pictures, to the bench, counsel table, the witness box, and the jurors. Documents are best viewed when typed in the Arial 12-point font.
- D. A desktop computer is available to view pictures that are in the JPEG format. Please contact the Case Manager/Court Reporter before trial begins to use equipment.
- E. Requests for Real-Time transcription capability should be made to the Court Reporter before the beginning of trial. The Court Reporter reserves the right to provide Real-Time or not.
- F. Devices for auditory assistance are available for the hearing impaired.

10. **COURTROOM PROCEDURES**

- A. Hours: The Court will generally convene for trial at 9:00 a.m. and adjourn at 5:00 p.m., recessing for lunch between 12:00 p.m. and 1:30 p.m.
- B. Access at Other Times: Counsel requesting access to the courtroom to set up equipment or exhibits before or after normal hours of Court must make arrangements in advance with the Case Manager.
- C. Telephones: Telephone messages for counsel will **NOT** be taken by the Court's staff, and counsel shall refrain from requesting use of telephones in chambers.
- D. Filing Documents: The original and **ONE** copy of documents filed immediately prior to and during the trial should be submitted to the Case Manager.
- E. Decorum:
  - 1. Counsel and parties will comply with Local Rule 57.2 and Appendix C regarding courtroom behavior. These procedures are strictly enforced.
  - 2. Counsel will ensure that all parties and witnesses refrain from chewing gum, drinking, eating, smoking, or reading newspapers, books, etc., in the courtroom. No cellular telephones or pagers are allowed in the courtroom.

F. Witnesses:

1. Counsel are responsible for summoning witnesses into the courtroom and instructing them on courtroom decorum and attire. Counsel must question witnesses while standing at the podium, unless other accommodations are necessary.
2. Counsel must obtain the Court's permission before approaching a witness.
3. Counsel shall make every effort to elicit from the witnesses only information relevant to the issues in the case and to avoid cumulative testimony.
4. Counsel should bear in mind the Court's hours and arrange for witnesses accordingly. The Court will not recess to permit counsel to call a missing witness unless he or she has been subpoenaed and has failed to appear.

G. Seating: The Court does not designate seating at counsel tables. Seating is determined on a first come first served basis on the first day of trial.

H. Deliberations: While the jury is deliberating, counsel are to remain near the courtroom to be available for jury notes or a verdict.

I. Ex-juror contact: After the jury and counsel are excused, counsel may contact jurors as the individual juror allows.

11. ATTACHMENTS

1. Template Proposed Scheduling Order
2. Template Exhibit List
3. Template Witness List

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United States District Court

Southern District of Texas

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UNITED STATES OF AMERICA

*versus*

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Criminal B- \_\_\_\_\_ - \_\_\_\_\_

**Judge Hilda G. Tagle**

### Scheduling Order

1. Depositions before U.S. Magistrate  
Judge \_\_\_\_\_ at \_\_\_\_\_
2. Deadlines Motions: \_\_\_\_\_  
Responses: \_\_\_\_\_
3. Motion hearing: \_\_\_\_\_ at \_\_\_\_\_ a.m/p.m..
4. Proposed voir dire questions and jury  
instructions,(the originals and **ONE** copy of each) due:  
\_\_\_\_\_
5. Docket call and final pretrial conference: \_\_\_\_\_ at 1:30 p.m.
6. Jury selection: \_\_\_\_\_ at 9:00 a.m.
7. Estimated trial time: \_\_\_\_\_ days  
(6.5 hours/day)

The defendant and his attorney must appear for the court settings. Failure to appear may result in additional charges being brought against the defendant.

Direct questions about this schedule to Stella Cavazos, Case Manager, United States District Clerk, 600 E. Harrison, Room 306, Brownsville, Texas 78520, telephone (956) 548-2628.

Signed on \_\_\_\_\_, at Brownsville, Texas.

\_\_\_\_\_  
United States District Judge

\_\_\_\_\_  
Attorney for Defendant

\_\_\_\_\_  
Assistant United States Attorney

\_\_\_\_\_  
Defendant



United States District Court



Southern District of Texas

UNITED STATES OF AMERICA <i>versus</i> - - - - -	CRIMINAL NO.
	<b>Exhibit List</b>
<b>Judge Hilda G. Tagle</b>	Case Manager: Stella Cavazos Court Reporter: Heather Hall
List of	Proceeding                      Date

No.	Description	Adm	Exd
1			
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United States District Court



Southern District of Texas

UNITED STATES OF AMERICA <i>versus</i> - - - - -	CRIMINAL NO.
	<b>Witness List</b>
Judge Hilda G. Tagle	Case Manager: Stella Cavazos Court Reporter: Heather Hall
List of	Proceeding                      Date

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.