

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

Entered May 28, 1992

ORDER NO. 92-16

SECOND AMENDED DIVISION OF WORK ORDER FOR
CALENDAR YEAR 1992

Adjustments to the Work Distribution Order of April 30, 1992 are necessary due to the appointment of Judge Ewing Werlein, Jr.

Under 28 U.S.C. § 137, effective May 26, 1992, the judges are assigned these matters:

ITEM ONE: **Chief Judge James DeAnda**

1. Retention of all cases presently on his docket.
2. All matters and proceedings pertaining to wages, effects, etc., of deceased or missing seamen.
3. Liaison judge for the clerk and for the staff law clerk/prisoner docket.
4. Naturalization hearings at the Houston Division (subject to reassignment).
5. Ex officio member of all liaison functions.

ITEM TWO: **Judge Norman W. Black**

1. Retention of all cases presently on his docket.
2. 12.5% of all criminal cases filed at the Houston Division.
3. 12.5% of all civil cases filed at the Houston Division.
4. Government collection cases filed at the Houston Division.
5. Liaison judge for portraits and attorney admissions, including conducting the workshops in Houston and working with the judges in other divisions with their workshops in those divisions.
6. Miscellaneous docket for July, 1992 at the Houston Division.

ITEM THREE: **Judge George P. Kazen**

1. Retention of all cases presently on his docket.
2. All cases filed at the Laredo Division (excluding asbestos cases which will be assigned to Judge Hughes).
3. Liaison judge for the Laredo Division.

ITEM FOUR: **Judge Filemon B. Vela**

1. Retention of all cases presently on his docket.
2. All cases filed at the Brownsville Division (excluding asbestos cases which will be assigned to Judge Hughes).
3. Liaison judge for the Brownsville Division.

ITEM FIVE: **Judge Hayden W. Head, Jr.**

1. Retention of all cases presently on his docket.
2. All cases filed at the Corpus Christi Division.
3. Liaison judge for the Corpus Christi Division.
4. All criminal cases filed at the Victoria Division.

ITEM SIX: **Judge Ricardo H. Hinojosa**

1. Retention of all cases presently on his docket.
2. All cases filed at the McAllen Division.
3. Liaison judge for the McAllen Division.

ITEM SEVEN: **Judge Lynn N. Hughes**

1. Retention of all cases presently on his docket.
2. 12.5% of all criminal cases filed at the Houston Division.
3. 12.5% of all civil cases filed at the Houston Division.
4. All asbestos cases in the district, except in the Corpus Christi and McAllen Divisions.
5. Chairman of the committee preparing the history of the Southern District of Texas.
6. Liaison judge for the United States Bankruptcy Court.
7. Miscellaneous docket for May, 1992 at the Houston Division.

ITEM EIGHT: **Judge David Hittner**

1. Retention of all cases presently on his docket.
2. 12.5% of all criminal cases filed at the Houston Division.
3. 12.5% of all civil cases filed at the Houston Division.
4. Liaison judge for the central library, the court reporters, and the U. S. Marshal.
5. Miscellaneous docket for June and December, 1992 at the Houston Division.

ITEM NINE: **Judge Kenneth M. Hoyt**

1. Retention of all cases presently on his docket.

2. 12.5% of all criminal cases filed at the Houston Division.
3. 12.5% of all civil cases filed at the Houston Division.
4. Liaison judge for the Public Defender. Chairman for the CJA Panel Selection Committee and Liaison judge for the Houston Division plan for the panel of private attorneys under the Criminal Justice Act.
5. Miscellaneous docket for February and August, 1992 at the Houston Division.

ITEM TEN: **Judge Sim Lake**

1. Retention of all cases presently on his docket.
2. 12.5% of all criminal cases filed at the Houston Division.
3. 12.5% of all civil cases filed at the Houston Division.
4. Liaison judge for the magistrate judges and for the establishment of an Alternative Dispute Resolution Program for the Houston Division only.
5. Miscellaneous docket for September, 1992 at the Houston Division.

ITEM ELEVEN: **Judge Melinda Harmon**

1. Retention of all cases presently on her docket.
2. 12.5% of all criminal cases filed at the Houston Division.
3. 12.5% of all civil cases filed at the Houston Division.
4. Liaison judge for local rules and jury.
5. Miscellaneous docket for March and October, 1992 at the Houston Division.

ITEM TWELVE: **Judge John D. Rainey**

1. Retention of all cases presently on his docket.
2. 12.5% of all criminal cases filed at the Houston Division.
3. 12.5% of all civil cases filed at the Houston Division.
4. All civil cases filed at the Victoria Division (excluding asbestos cases which will be assigned to Judge Hughes).
5. Liaison Judge for the Victoria Division.
6. Liaison Judge for Probation.
7. Miscellaneous docket for April and January, 1992 at the

Houston Division.

ITEM THIRTEEN: **Judge Samuel B. Kent**

1. Retention of all cases presently on his docket.
2. 100% of all civil cases filed at the Galveston Division (excluding asbestos cases which will be assigned to Judge Hughes).
3. 100% of all criminal cases filed at the Galveston Division.
4. Liaison Judge for the Galveston Division.

ITEM FOURTEEN: **Judge Ewing Werlein, Jr.**

1. Retention of all cases presently on his docket.
2. 12.5% of all criminal cases filed at the Houston Division.
3. 12.5% of all civil cases filed at the Houston Division.
4. Liaison judge for pretrial services and the U. S. Attorney.
5. Miscellaneous docket for November, 1992 at the Houston Division.

ITEM FIFTEEN: **Judge Hugh Gibson (Senior)**

1. Retention of all cases presently on his docket and those cases accepted from other members of the court.
2. All civil cases filed in the Galveston Division in which Judge Kent is disqualified or has chosen to recuse himself.

ITEM SIXTEEN: **Miscellaneous Docket in Houston**

1. Applications for restraining orders, preliminary or temporary injunctions, and similar emergency matters are to be handled by the judge to whom the matter is assigned on its being filed. If that judge is not available and if the emergency requires prompt action, the matter will be referred to the judge with the miscellaneous docket.
2. The miscellaneous docket in the Houston Division consists of those matters that may arise prior to a civil action, an indictment, criminal information, or other proceeding being filed and assigned to a judge. The judge with the miscellaneous docket will receive motions, grant immunity to a witness, rule on in forma pauperis applications in matters not previously assigned to a judge, etc.
3. The judge handling the miscellaneous docket shall summon and empanel all grand and petit juries at the Houston Division. The judge will summon and have available for the use of the other judges at the Houston Division a petit jury weekly during the calendar year.
4. The monthly assignment of miscellaneous docket duties does not prevent judges from exchanging assignments by consent by notifying the clerk and the chief judge of the exchange.

ITEM SEVENTEEN:

General

1. In cases in which a judge is disqualified or in which he recuses himself, on the entry of a recusal order, the clerk shall select at random another judge to hear the matter.
2. None of these arrangements deprives any judge of this district of jurisdiction of any case or matter or proceeding, but it is made to expedite the disposition of cases, and a judge may handle other matters for any other judge by consent.
3. The liaison judges will handle day-today matters. Matters involving court policies will first be discussed with the chief judge. If it is a policy that must be resolved immediately, the chief judge and the liaison judge jointly will make the decision. If it is a policy matter that can await the meeting of the entire court, it will be decided at the first meeting.
4. The special fund will be administered by a committee appointed by the chief judge; it consists of Judges DeAnda (as chairman), Black, Head and Hittner.
5. The chief judge will select the time and place of meetings of the court, three of which will be held annually. Special meetings of the court will be called by the chief judge as necessary. The judges in Houston will meet Tuesdays at noon and on call of the chief judge.

ITEM EIGHTEEN:

Assignment of Magistrate Judges to District Judges

<u>Judges</u>	<u>Magistrate Judges</u>
James DeAnda Kenneth M. Hoyt	Calvin Botley
Norman W. Black Lynn N. Hughes David Hittner	Unassigned
Sim Lake John D. Rainey	Nancy K. Pecht
Melinda Harmon Ewing Werlein, Jr.	Frances H. Stacy
Samuel B. Kent Hugh Gibson	John R. Froeschner
Hayden W. Head, Jr.	Eduardo E. de Ases
Filemon B. Vela	Fidencio Garza, Jr. Robert L. Guerra
Ricardo H. Hinojosa	William Mallet Robert L. Guerra
George P. Kazen	Marcel C. Notzon

DONE at Houston, Texas this 28th day of May, 1992.

_____/s/
JAMES DEANDA
CHIEF JUDGE
United States District Court