

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

MAY 14 2019

David J. Bradley, Clerk of Court
By Deputy Clerk Mona Salas

IN THE MATTER OF
AMENDMENT OF THE
LOCAL RULES OF PROCEDURE

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GENERAL ORDER NO. 2019-4

ORDER

The court proposed the adoption of attached CrLR18. Place of Trial Within the District. The rule has now been approved by the Judicial Council of the Fifth Circuit through its Rules Committee. CrLR18 is ADOPTED by the court effective May 14, 2019.

Signed the 14th day of May, 2019.



LEE H. ROSENTHAL
CHIEF JUDGE

CrLR 18. PLACE OF TRIAL WITHIN THE DISTRICT

- A. Division in Which Prosecution and Trial May Occur.
- (1) Unless a statute, other rule, or court order requires otherwise, the government may prosecute a case in any Division in the District in which the offense was committed, in whole or in part.
 - (2) The court may fix the venue of a criminal case in any Division in the District, consistent with Federal Rule of Criminal Procedure 18 and this Local Rule.
- B. Multiple Offenses. In cases involving multiple offenses joined under Federal Rule of Criminal Procedure 8(a), the court may fix the venue in any Division in the District in which any one of the offenses may be tried.
- C. Multiple Defendants. In cases involving multiple defendants joined under Federal Rule of Criminal Procedure 8(b), the court may fix the venue in any Division in the District in which any one of the defendants may be tried.
- D. Intradistrict Transfer. On a judge's own motion or on the motion of a party, the judge in whose court the case was filed may transfer the case to a different Division in the District, if, after notice to the parties and an opportunity for them to be heard, the judge finds that the case was not filed in the proper Division or that transfer to a different Division would be in the interests of justice, based on the convenience of the defendant and the witnesses and on the prompt administration of justice.
- (1) If a case is transferred to another Division under Rule 18 and this Local Rule, the Clerk of Court will assign the case to a judge in the transferee Division in accordance with the plan for random assignment, unless the transferor judge orders that he or she will continue to handle the case after transfer.
 - (2) If a case is retained in the Division where it was filed, the judge may direct the Clerk of Court to assign it to a judge in a Division in which venue would have been proper under Rule 18 and this Local Rule, in accordance with the plan for random assignment.