

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

In the Matter of
THE DIVISION OF WORK
FOR THE REMAINDER OF
CALENDAR YEAR 1997
1997-5

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Entered July 30, 1997

GENERAL ORDER NO.

Work Order

Adjustments to the Work Distribution Order No. 1997-1 are necessary due to the death of Judge Norman W. Black.

Pursuant to 28 U.S.C. Section 137, these assignments are made and these procedures are adopted effective July 28, 1997:

1. Chief Judge George P. Kazen
 - A. Retains all cases presently on his docket.
 - B. Receives all cases filed in the Laredo Division except the criminal cases assigned to Judge Rainey.
 - C. Is the liaison judge for the Laredo Division.
 - D. Is the liaison judge to the District Clerk's Office.

2. Judge Filemon B. Vela.
 - A. Retains the cases presently on his docket.
 - B. Receives all cases filed in the Brownsville Division.
 - C. Is the liaison judge for the Brownsville Division.

3. Judge Hayden W. Head, Jr.
 - A. Retains the cases presently on his docket.
 - B. Receives 50% of all criminal cases filed in the Corpus Christi Division.

- C. Receives 50% of all civil cases filed in the Corpus Christi Division.
- D. Is the liaison judge for the Corpus Christi Division.

4. Judge Ricardo H. Hinojosa

- A. Retains the cases presently on his docket.
- B. Receives all cases filed in the McAllen Division.
- C. Is the liaison judge for the McAllen Division.
- D. Is the liaison judge for all interpreters in the district.

5. Judge Lynn N. Hughes

- A. Retains the cases presently on his docket.
- B. Receives 11.11% of all criminal cases filed in the Houston Division.
- C. Receives 10.31% of all civil cases filed in the Houston Division.
- D. Receives government collection cases filed in the Houston Division.
- E. Is the liaison Judge for court history.
- F. Is the liaison judge to the United States Bankruptcy Court.

6. Judge David Hittner

- A. Retains the cases presently on his docket.
- B. Receives 11.11% of all criminal cases filed in the Houston Division.
- C. Receives 10.31% of all civil cases filed in the Houston Division.
- D. Is the liaison judge to the central library, the court reporters, and the U. S. Marshal for the Houston Division.

7. Judge Kenneth M. Hoyt

- A. Retains the cases presently on his docket.

- B. Receives 11.11% of all criminal cases filed in the Houston Division.
- C. Receives 10.31% of all civil cases filed in the Houston Division.
- D. Is the liaison judge to the Public Defender's Office in the Houston Division.
- E. Is liaison judge for the Houston Division plan for the panel of private attorneys under the Criminal Justice Act, and is Chair of the CJA Panel Selection Committee.
- F. Coordinates all breast implant cases in the Houston Division.

8. Judge Sim Lake

- A. Retains the cases presently on his docket.
- B. Receives 11.11% of all criminal cases filed in the Houston Division.
- C. Receives 10.31% of all civil cases filed in the Houston Division.
- D. Is the liaison judge to the magistrate judges in the Houston Division.

9. Judge Melinda Harmon

- A. Retains the cases presently on her docket.
- B. Receives 11.11% of all criminal cases filed in the Houston Division.
- C. Receives 10.31% of all civil cases filed in the Houston Division.
- D. Is the liaison judge for the jury utilization and for the district's local rules.

10. Judge John D. Rainey

- A. Retains the cases presently on his docket.
- B. Receives 7.21% of all civil cases filed in the Houston Division.
- C. Receives the workload equivalent of approximately 25% of the criminal cases filed in the Laredo Division.
- D. Receives all civil and criminal cases filed in the Victoria Division.

E. Liaison Judge for the Victoria Division.

11. Judge Samuel B. Kent

- A. Retains the cases presently on his docket.
- B. Receives all civil cases filed in the Galveston Division.
- C. Receives all criminal cases filed in the Galveston Division.
- D. Is the liaison Judge for the Galveston Division.

12. Judge Ewing Werlein, Jr.

- A. Retains the cases presently on his docket.
- B. Receives 11.11% of all criminal cases filed in the Houston Division.
- C. Receives 10.31% of all civil cases filed in the Houston Division.
- D. Is the liaison Judge to the Probation and Pretrial Services offices in the Houston Division.

13. Judge Lee H. Rosenthal

- A. Retains the cases presently on her docket.
- B. Receives 11.11% of all criminal cases filed in the Houston Division.
- C. Receives 10.31% of all civil cases filed in the Houston Division.
- D. Is the liaison judge to the staff attorneys in the Houston Division.

14. Judge Janis Graham Jack

- A. Retains the cases presently on her docket.
- B. Receives 50% of all criminal cases filed in the Corpus Christi Division.
- C. Receives 50% of all civil cases filed in the Corpus Christi Division.

15. Judge Vanessa D. Gilmore

- A. Retains the cases presently on her docket.
- B. Receives 11.11% of all criminal cases filed in the Houston Division.
- C. Receives 10.31% of all civil cases filed in the Houston Division.
- D. Coordinates all asbestos cases in the district except in the Corpus Christi and McAllen Division.
- E. Is the liaison judge to the United States Attorney's Office in the Houston Division, and also for attorney disciplinary proceedings in the Houston Division.

16. Judge Nancy F. Atlas

- A. Retains the cases presently on her docket.
- B. Receives 11.11% of all criminal cases filed in the Houston Division.
- C. Receives 10.31% of all civil cases filed in the Houston Division.
- D. Is the liaison Judge to the Alternative Dispute Resolution Programs.

17. Judge Hugh Gibson (Senior)

- A. Retains the cases presently on his docket and those cases accepted from other members of the court.
- B. Receives civil cases filed in the Galveston Division in which Judge Kent is disqualified or is recused.

18. Houston's Miscellaneous Docket

- A. The miscellaneous docket in the Houston Division consists of those matters that arise before a civil or criminal proceeding is filed and assigned to a judge, like naturalization ceremonies/ grants of immunity to witnesses, and in forma pauperis applications.
- B. The miscellaneous docket judge summons and empanels grand and petit juries.

- C. Applications for restraining orders, preliminary injunctions, and similar emergency matters are to be handled by the judge to whom the matter is assigned. If that judge is not available and if the application requires immediate action, the assigned judge's staff will take it to the judge in charge of the miscellaneous docket.
- D. The miscellaneous docket duties may be exchanged by consent with notice to the clerk and the chief judge.
- E. The 1997 schedule for the miscellaneous Docket is Appendix A.

19. General

- A. If a judge in the Houston Division is disqualified or stands recused, the clerk will randomly assign the matter to another judge in that division. The judges in the Brownsville, Corpus Christi, Laredo, and McAllen Divisions share recusals and disqualifications originating in those divisions. Recusals from the Victoria Division will be assigned to judges in the Corpus Christi Division. Recusals from the Galveston Division will be assigned to judges in the Houston Division. In a non-Houston division having more than one resident judge, the case shall first be reassigned within that division. However, if all judges in that division recuse or are disqualified, the case shall be randomly assigned to a judge in another division, as provided herein.
- B. Nothing in this order deprives a judge of jurisdiction in a matter. A judge may handle matters for another judge by consent.
- C. Matters affecting a liaison assignment should be brought first to the attention of the liaison judge who may handle routine administrative matters. Emergency questions involving court policies will be discussed with the chief judge and may be resolved by the liaison judge and chief judge. The chief judge shall report the emergency to the full court for discussion as promptly as possible.
- D. Judge Head is appointed Chair of the Attorney Admission Fund Committee and Judge Harmon is assigned as a member of that Committee.
- E. Judge Hughes is appointed Chair of the Committee on Court Portraits, and Judges Hittner and Harmon are assigned as members of that committee.
- F. The assignment of magistrate judges to district judges is Appendix B.

G. The Chief judge will call meetings of full court as needed and will select the time and place of the meetings. The judges in Houston will meet Tuesdays at noon.

Signed at Laredo, Texas, on July 30, 1997.

 /s/
George P. Kazen
Chief Judge

Appendix A

1997 Miscellaneous Docket--Houston Division

January	Judge Rosenthal
February	Judge Atlas
March	Judge Gilmore
April	Judge Black
May	Judge Hughes
June	Judge Hittner
July	Judge Hoyt
August	Judge Lake
September	Judge Harmon
October	Judge Werlein
November	Judge Rosenthal
December	Judge Gilmore

Appendix B

Assignment of Magistrate Judges to District Judges

District Judges

George P. Kazen

Filemon B. Vela

Hayden W. Head, Jr.

Janis Graham Jack

Ricardo H. Hinojosa

Lynn N. Hughes
David Hittner

Kenneth M. Hoyt
Nancy F. Atlas

Sim Lake
John D. Rainey

Melinda Harmon
Ewing Werlein, Jr.

Samuel B. Kent
Hugh Gibson

Lee H. Rosenthal
Vanessa D. Gilmore

Magistrate Judges

Marcel C. Notzon

Fidencio Garza, Jr.
John W. Black

B. Janice Ellington

Jane Cooper-Hill

Peter E. Ormsby
Dorina Ramos

Marcia A. Crone

Calvin Botley

Nancy K. Johnson

Frances H. Stacy

John R. Froeschner

Mary Milloy