

Hon. Ronald G. Morgan
United States Magistrate Judge
U.S. District Court for the Southern District of Texas
600 E. Harrison Street, Room 204
Brownsville, Texas 78520-7114
(956) 548-2570

Civil & Criminal Procedures

All parties are required to abide by the Local Rules for the Southern District of Texas.

In both criminal and civil cases, Judge Morgan adopts the procedural rules of the presiding judge for that case.

If the parties in a civil case agree to have Judge Morgan preside over the case, pursuant to 28 U.S.C. 636(c), Judge Morgan adopts Judge Hanen's civil procedures and rules.

Parties are reminded that any submission – including motions, briefs and attachments – that is greater than 25 pages in length requires a courtesy hard copy to be filed with the District Clerk's Office.

DISCOVERY PROCEDURES:

Unless otherwise directed by the District Judge or the District Judge's local procedures, the following shall apply to discovery in civil cases pending before or referred to Judge Morgan:

(1) All discovery requests, responses, and objections are governed by the requirements of Rule 26(g) of the Federal Rule of Civil Procedure and counsel and parties shall be familiar with the requirements of the Rule and the sanctions that may be imposed for failure to comply with it. All discovery responses, answers, including answers to interrogatories, document production requests, and disclosures are to be complete and non-evasive, as required by Rule 37(a)(4). Evasive or incomplete discovery responses, answers, or disclosures will be deemed to be a failure to respond, answer, or disclose.

(2) If a party responding to a discovery request, including interrogatories and document production requests, objects, in whole or in part, to the discovery, objections must be specific, non-boiler plate and supported by particularized facts where necessary to demonstrate the basis for the objection. Failure to do so may be deemed by the Court to constitute a waiver of objection.

(3) Pursuant to Federal Rules of Evidence 502(d), the inadvertent disclosure of information otherwise protected by the attorney-client or work product privileges shall not constitute waiver of the privilege by the producing party.

(4) The Court hereby implements the following policy with respect to discovery disagreements. This policy shall be followed before the filing of any discovery motions, such as a motion to compel or motion for sanctions. In the event of a discovery disagreement, counsel shall notify opposing counsel of their intent to contact the court case manager to request a telephone conference with the Court. Counsel requesting such a conference shall check opposing counsel's availability and contact the Court with suggested dates and times. After a date and time have been scheduled, it will be the responsibility of counsel requesting the conference to arrange and initiate the conference call at the prescribed time. The conference call should take less than 30 minutes. Counsel involved in the dispute shall e-file short letters, not more than two pages, setting forth their respective position no later than 5 p.m. on the day prior to the scheduled telephone conference. Chambers will tape record the conference call. The Court will do its best to resolve as many disputes as possible in this informal manner. If, however, it is determined that the issues require the formal filing of a motion and briefing, counsel will be advised by the Court.