



**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE**

Howard H. Baker Jr. United States Courthouse
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Knoxville, Tennessee 37902
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JOHN L. MEDEARIS
Clerk of the Court

LEANNA R. WILSON
Chief Deputy Clerk

NOTICE

Pursuant to 28 U.S.C. § 2071(b), the Clerk of the Court hereby gives notice of and an opportunity for comment regarding the Court's proposal to amend the Eastern District of Tennessee Local Rule LR 3.2(d) (Assignment of Cases to Judges). Additions are underlined and deletions are struck through.

(d) Exceptions.

(1) Refilings. If a case is dismissed or remanded to state court and later refiled, either in the same or similar form, upon refileing it shall be assigned or transferred to the district judge and magistrate judge to whom it was originally assigned.

(2) Criminal Proceedings.

A. Petitions under 28 U.S.C. §§ 2255 and 2241 shall be assigned to the district judge and magistrate judge assigned to the original criminal case if that judge is still hearing cases.

B. Informations filed against a defendant with a pending indictment shall be assigned to the district judge and magistrate judge assigned to the pending case.

C. When a defendant in a transfer case pursuant to Federal Rule of Criminal Procedure 20 has a pending case in this district, the Rule 20 case shall be assigned to the district judge and magistrate judge assigned to the pending case.

D. When new charges are brought against a defendant on supervised release, the new case shall be randomly assigned to a district and magistrate judge and the supervised release case shall be reassigned to the district and magistrate judges assigned to the new case.

E. Civil in rem actions initiated by the United States against a defendant with criminal charges pending in this Court shall be assigned to the district judge and magistrate judge assigned to the pending criminal case.

Comments should be directed in writing to John L. Medearis, Clerk of Court, by February 15, 2020, at the above address.

Comments:

The addition of section 3.2(d)(2)(E) provides that civil in rem actions initiated by the United States against a defendant with criminal charges pending in the United States District Court, Eastern District of Tennessee will be automatically assigned to the district judge and magistrate judge who are assigned to the pending criminal case.