

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE

Administrative Order No. 2005-09

IN RE: ORDER AMENDING :
LOCAL RULE 83.7(a) (2) :
and LOCAL CRIMINAL RULE 12.1 :

ROBERT R. DI TROLO
CLERK OF U.S. DIST. CT.
WD. OF TN.-JACKSON

05 MAR 25 PM 11:31

FILED BY SR DC.

Pursuant to the rule making authority granted the court by 28 U.S.C. § 2071, and in conformance with the decision of the court reached at its March 22, 2005 judges' meeting, Local Rule 83.7 (a) (2) is hereby amended to remove reference to 28 U.S.C. §1915(e) (2) and replace with reference to Federal Rules of Civil Procedure 12. The new paragraph (a) (2) thus reads:

Service of Process will not be issued upon the filing of a non-prisoner pro se complaint when a filing fee is paid pending review of the complaint's merit under Fed. R. Civ. P. 12(b) (1) and 12(h) (3), as to the validity of subject matter jurisdiction.

Further, Local Criminal Rule 12.1, "Motions in Criminal Cases," is amended by appending a ^{fourth new} ~~third~~ paragraph, thus to read:

Memoranda in support of or in opposition to motions shall not exceed twenty pages without prior court approval.

The Clerk of Court shall cause notice of these amendments to be published both in print and on the court's web page for a period of thirty days, and thereafter furnish a copy of Amended Local Rule 83.7(a) (2) and Local Criminal Rule 12.1 to the Judicial Council of the Sixth Circuit



DONE and ORDERED at Jackson, Tennessee, on this 25th day of March, 2005.

FOR THE COURT: James D. Todd
James D. Todd
Chief United States District Judge

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