

U. S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED

OCT 21 1981

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF TEXAS

JOSEPH McELROY, JR., CLERK
BY: Lat. Spears
Deputy

MISCELLANEOUS ORDER NO. 32

In criminal cases in which the defendant is admitted to bail, when the defendant has been sentenced to confinement by the District Court, or when such sentence of confinement has been affirmed and mandate issued by the United States Court of Appeals for the Fifth Circuit, the following procedure will be followed:

1. The Judgment and Probation/Commitment Order, and the mandate and circuit court's opinion if the case has been appealed, shall be filed and docketed by the Clerk's Office in the appropriate division.

2. Two certified copies of the Judgment and Probation/Commitment Order, and the mandate in the event of an affirmed appeal, shall be sent to the United States Marshal and United States Probation Office (Pre-Trial Services Office) in the appropriate division, with the following attached thereto:

"Notice of appeal filed on _____
Mandate issued by the Fifth Circuit Court of Appeals on _____, and in which the judgment of conviction and commitment of the District Court was affirmed.

JOSEPH McELROY, JR., Clerk

By: _____
Deputy Clerk

Date"

3. A copy of the mandate shall be sent to the District Judge who imposed sentence.

4. The United States Probation Office (Pre-Trial Service Office) shall make a status report to the Court regarding the defendant.

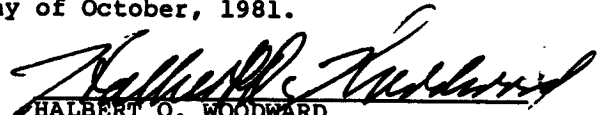
5. Upon receipt of the mandate the Court may order the issuance of a warrant of arrest or enter an order directing the defendant to report to either the United States Marshal or the

designated institution of confinement. On the reporting date the United States Marshal shall determine whether the defendant has complied with such order and shall immediately inform the Court of any failure to comply so that a warrant of arrest may be issued.

6. The United States Marshal will utilize the certified copies of the Judgment and Probation/Commitment Order, and a copy of the mandate if the case has been appealed, to commit the defendant and make a return thereon to the Clerk's Office.

A copy of this Order shall be filed in each Division of the Northern District of Texas.

ENTERED this 19th day of October, 1981.


HALBERT O. WOODWARD
Chief Judge
Northern District of Texas