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CLERK

DEPUTY CLERK



IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE: POLICIES and PROCEDURES)
CONCERNING EMERGENCY) Administrative Order No 177
MOTIONS FOR TEMPORARY)
RESTRAINING ORDERS)

ADMINISTRATIVE ORDER

There being a need for published uniform policies and procedures for the assignment of emergency motions for a Temporary Restraining Order ("TRO") in conjunction with the filing of new cases, the Court hereby adopts the following policies and procedures in accordance with Local Rule 65 01.

Assignment of Emergency Motions for TROs

When a Motion for TRO is filed in conjunction with the filing of a new case and includes a request for an immediate emergency hearing ("Emergency Motion for TRO"), the Motion shall be presented to the judge assigned to the case if he or she is available ("Presiding Judge") Local Rule 65 01(b) If the Presiding Judge is not available, the Emergency Motion for TRO shall be presented to the first available judge under a separate TRO emergency case rotation system as follows:

- 1 The rotation of assigning Emergency Motions for TROs shall be among the active District Judges. If no active District Judge is available to hear the Emergency Motion for TRO, a Senior District Judge may hear the motion.
- 2 If the TRO Judge is not the same judge as the Presiding Judge, the TRO Judge may, in his or her discretion, keep the case or return it to the Presiding Judge for all further matters.

Clerk's Office Procedures

The following procedures shall be followed by the Clerk's Office with respect to Emergency Motions for TROs:

- 1 The Deputy Clerk receiving the Emergency Motion for a TRO shall promptly notify the Operations Manager. If the Operations Manager is not available, the Deputy Clerk shall notify the Clerk or Chief Deputy Clerk

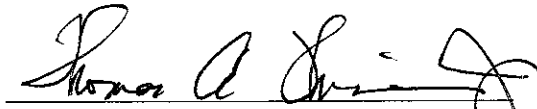
- 2 If the Presiding Judge is not available, the Operations Manager, Clerk, or Chief Deputy Clerk shall assign the Emergency Motion for TRO to the next available judge on the emergency TRO rotation list and shall promptly notify the assigned TRO Judge
- 3 The Clerk's Office shall deliver the file to the TRO Judge, and the name of the Presiding Judge shall be prominently displayed on the outside front cover of the file
- 4 A judge shall receive credit on the emergency TRO rotation list if he or she rules on an Emergency Motion for a TRO either as Presiding Judge or TRO Judge

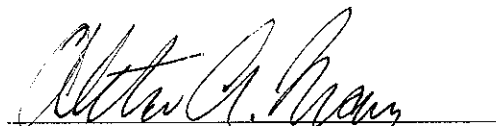
Miscellaneous

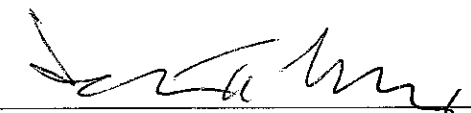
Nothing in this Administrative Order supersedes Fed. R. Civ. P. 65, Local Rules 40.01 or 65.01, Administrative Order No. 158-1 (capital habeas corpus petitions and related cases), Administrative Order No. 175 (assignment of certain civil cases), or Administrative Order No. 176 (reassignment of related civil cases). This Administrative Order supersedes Administrative Order No. 99 (Division of Business of the Court) to the extent applicable and applies only to Emergency Motions for TROs and not to Motions for Preliminary Injunctions.

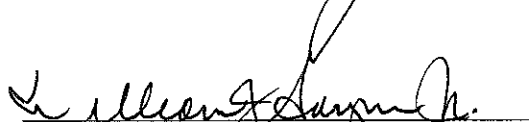
It is so ORDERED.

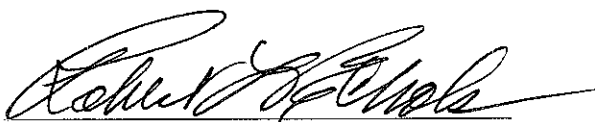

TODD J. CAMPBELL
Chief United States District Judge


THOMAS A. WISEMAN, JR.
Senior United States District Judge


ALETA A. TRAUGER
United States District Judge


JOHN T. NIXON
Senior United States District Judge


WILLIAM J. HAYNES, JR.
United States District Judge


ROBERT L. ECHOLS
Senior United States District Judge