

RULE 101

GENERAL

(as amended effective July 16, 2007)

(a) Application

These Local Rules apply in criminal actions as defined in Federal Rule of Criminal Procedure 1. The Court may modify these rules in exceptional circumstances or when justice so requires.

(b) Effective Date: Repealer

These rules shall be effective April 5, 2004, and shall govern all proceedings in cases then pending, or thereafter brought. All prior rules of this Court are repealed, and all standing orders inconsistent with these rules are vacated, as of that date.

(c) Definitions

The term "judicial officer" includes district judges and magistrate judges. "District judge" refers to a federal judge as defined in 28 U.S.C. § 451. "Magistrate judge" refers to a federal judge as defined in 28 U.S.C. §§ 631-639. The term "party's attorney" or similar term whenever used in these rules shall include a party appearing without counsel. The term "clerk of court" includes the Clerk of the United States District Court for the District of Puerto Rico, the Chief Deputy Clerk, and deputy clerks. The term "marshal" includes the United States Marshal and deputy marshals.

(d) Numbering

Local Rules concerning criminal practice have been assigned to the "100 series" and thereafter correspond to the Federal Rules of Criminal Procedure.

(e) Citation

Citation of a particular provision of the local rules of criminal practice shall be by name and number, including the year of enactment when referring to a previous version of the rule: Local Criminal Rule or L.Crim.R. 101(e)(2003). If a pleading makes reference to the local rules of another district or to previous versions of a local rule give name and number followed by the abbreviated district name, including the year of enactment when referring to a previous version of the rule: e.g., Local

Criminal Rule for the U.S. District Court for the District of Maine or L.Crim.R. 101(e)
(D.Me. 1997).

(f) Failure to Comply

The violation or failure to comply with these rules may entail sanctions.

(g) Suspension of the Rules

The Court, may suspend or modify the requirements or provisions of any of these Rules in a[ny] particular case by written order. When a Judge of this Court issues any order in a specific case which is not consistent with these Rules, such order shall constitute a suspension of these Rules for such case and only to the extent that it is inconsistent therewith.