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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STANDING ORDER FOR CRIMINAL CASES BEFORE JUDGE DONATO

CONFORMITY TO RULES

1. Counsel are expected to consult and comply with all provisions of the Federal and Local Rules of Criminal Procedure relating to disclosure and discovery, motions, continuances, and all other matters, unless specifically superseded by this Standing Order.

SCHEDULING

2. The criminal law and motion calendar is held on the second Wednesday of each month at 10:30 a.m. in Courtroom 11, 19th Floor, 450 Golden Gate Avenue, San Francisco, California, and on the fourth Wednesday of each month at 9:30 a.m. at the Oakland Courthouse, 1301 Clay Street, Oakland, California. The courtroom for the Oakland hearings will be posted on the Court’s weekly calendar on the Northern District website. All pretrial conferences, trials and evidentiary proceedings are heard in San Francisco only. During the months when the Court is the General Duty Judge in San Francisco, it will not hold calendars in Oakland.

3. If a party would like to have a matter placed on the Court’s calendar for a defendant in custody, counsel must advise the Courtroom Deputy at (415) 522-2066, by 10:00 a.m. the day before the defendant is to be transported to the Court by the United States Marshal.

4. To request a continuance of a scheduled hearing, counsel must file a proposed order, preferably by stipulation, including whether time under the Speedy Trial Act should be excluded, by no later than 10:00 a.m. the Monday prior to the scheduled hearing. Continuances are not granted unless and until the Court so orders.

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CHAMBERS COPIES

5. The parties are required to lodge for chambers one paper copy of each document that is filed electronically. All chambers copies must be three-hole punched at the left margin and marked with the ECF stamp (case number, document number, date and page number). These printed copies shall be marked “Chambers Copy -- Do Not File” and placed in an envelope clearly labeled with the judge’s name and case number. All chambers copies must be submitted to this Court’s San Francisco chambers; please do not deliver chambers copies to the Oakland Courthouse.

SEALED DOCUMENTS

6. Parties seeking to file a document under seal must follow the procedures required by the Criminal Local Rules. All documents under seal should be lodged with the Oakland Clerk’s Office. The parties shall, however, submit a chambers copy of the documents under seal directly to this Court’s San Francisco chambers in accordance with the above provision on chambers copies.

CHANGE OF PLEA

7. If a plea is being entered pursuant to a plea agreement, counsel for the government shall deliver a copy of the plea agreement to chambers on the 19th Floor in San Francisco by 10:00 a.m. the day before the plea is to be entered. If the plea is not pursuant to a plea agreement or if the specifics of the agreement are not yet finalized, counsel for the defendant shall notify the Courtroom Deputy of the entry of an open plea, and shall deliver a copy of the application for entry of plea to chambers by 10:00 a.m. the day before the plea is to be entered.

DISCOVERY

8. The procedures for disclosure and discovery set forth in the Local Criminal Rules, in particular Criminal Local Rule 16-1, and the Federal Rules of Criminal Procedure will be strictly enforced.

SENTENCING MEMORANDA AND MOTIONS RELATING TO SENTENCING

9. Although the parties are not required to file a Sentencing Memorandum except as set forth in Criminal Local Rule 32-5(b), the Court encourages the parties to submit a Sentencing

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Memorandum. If a party chooses to submit a Sentencing Memorandum to the Court, it must be filed and served in accordance with the Criminal Local Rules.

IT IS SO ORDERED.

Dated: January 5, 2017



JAMES DONATO
United States District Judge