

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

IN RE: MANAGEMENT OF)
PRO SE CASES INCLUDING)
SUPERVISION OF PRO SE STAFF)
ATTORNEYS)

GENERAL ORDER
No. 2010-02

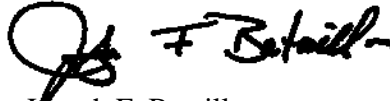
To provide for the management of cases filed by a plaintiff or petitioner without counsel (pro se cases), including the supervision of pro se staff attorneys, and with the agreement of the active district judges,

IT IS ORDERED that:

1. This order does not alter the method of assignment of pro se cases to district judges. Nor does this order reassign cases among the district judges. Each district judge who is assigned a pro se case retains decisional autonomy as to all aspects of the case.
2. Subject to paragraph one, and except for motions filed under 28 U.S.C. § 2255 and except for death penalty cases, Judge Kopf is assigned the overall responsibility for the management of pro se cases in the District of Nebraska.
3. Except for motions filed under 28 U.S.C. § 2255 and except for death penalty cases, all pro se cases shall be assigned to Magistrate Judge Zwart as the assigned magistrate judge. The clerk's office shall continue to enter "Pro Se Docket" as the "Referral Judge" in CM/ECF on all future pro se cases.
4. The supervision of the pro se staff attorneys is delegated to Judge Kopf. The pro se staff attorneys shall have no responsibility for motions filed under 28 U.S.C. § 2255 or for death penalty cases.
5. Motions filed under 28 U.S.C. § 2255 shall be assigned to district judges and magistrate judges as in the past. (Pursuant to NEGenR 1.4(a)(5), those motions are not considered "civil cases" for purposes of the "Nebraska Docket.") Even if filed without counsel, the management of a 2255 motion is the responsibility of the district judge and magistrate judge to whom the motion is assigned.
6. Cases involving the death penalty shall be assigned to district judges and magistrate judges as in the past. See NEGenR 1.4(a)(6). Even if filed without counsel, the management of a death penalty case is the responsibility of the district judge and magistrate judge to whom the case is assigned.
7. The clerk's office staff shall continue to seek direction from Judge Kopf regarding pro se procedures.
8. This general order supersedes General Order No. 2007-09.

DATED this 29th day of January, 2010.

FOR THE COURT:



Joseph F. Bataillon
Chief Judge