

1 **WO**

2
3
4
5
6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
8

9 Derek Don Chappell,

10 Petitioner,

11 v.

12 David Shinn, *et al.*,

13 Respondents.
14

No. CV-15-00478-PHX-SPL

DEATH PENALTY CASE

ORDER

15 Before the Court is Respondents' unopposed motion for leave to non-electronically
16 file Exhibits 324 and 326, as they are DVD recordings. (Docs. 117 and 122.) The Court's
17 Electronic Case Filing Administrative Policies and Procedures Manual lets parties seek
18 leave to non-electronically file exhibits when the exhibits "are not convertible to electronic
19 form," such as "videotapes, maps, etc." § II(N)(2).¹ Because Exhibits 324 and 326 are DVD
20 recordings, the Court will grant Respondents such leave.

21
22 ¹ Section II(N)(2)(a) and (b) sets forth the procedure if the Court grants leave:

- 23 a. The filing party must prepare an index and notice of filing in pleading
24 format to be submitted with the exhibits or other documents. The
25 caption of the index will state what document, if any, the exhibits are
26 supporting. The actual exhibits must be tabbed and bound if
27 appropriate.
28 b. The index and notice of filing must be electronically filed before the
exhibits or other documents are delivered to the Clerk's Office. The
index, notice of filing and exhibits or other documents must be served
on the other parties by the filer.

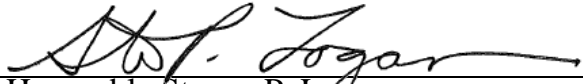
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Accordingly,

IT IS ORDERED granting Respondents' Unopposed Motion for Leave to File Non-Electronic Exhibits (Doc. 122).

IT IS FURTHER ORDERED that, within **seven days** of this Order's filing date, Respondents must file Exhibits 324 and 326, in compliance with Section II(N)(2)(a) and (b) of the Manual, directly with the Clerk of the United States District Court, District of Arizona, Sandra Day O'Connor U.S. Courthouse, 401 West Washington Street, Phoenix, Arizona 85003. Because Chappell appears to have both exhibits (Doc. 122 at 1), Respondents need not serve them on him.

Dated this 21st day of October, 2022.


Honorable Steven P. Logan
United States District Judge