

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. 2007-09
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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 previously filed pro se cases referred to Magistrate Judge Gossett or Magistrate Judge Thalken are herewith reassigned to Magistrate Judge Piester¹. Pro se cases in which the parties have consented to proceed before a magistrate judge for trial remain assigned to that magistrate judge. The clerk's office shall file this order in each pending case referred to the Pro Se Docket in CM/ECF.
4. Except for motions filed under 28 U.S.C. § 2255 and except for death penalty cases, all future pro se cases shall be assigned to Judge Piester 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.
5. 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.
6. 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"

¹These cases appear in CM/ECF with the notation of "Pro Se Docket" as the "Referral Judge." The clerk's office will leave the referral judge as "Pro Se Docket" and change the Administrative Office's code from Magistrate Judge Gossett to Magistrate Judge Piester.

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.

7. 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.
8. The “pro se procedures” appearing under the “resources” tab of the Court’s internal web site are rescinded. The clerk’s office staff shall seek direction from Judge Kopf regarding pro se procedures.

DATED this 3rd day of July, 2007.

FOR THE COURT:

s/Joseph F. Bataillon
Chief Judge