

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

DOCKETED
FILED

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IN RE: ORDER REGARDING PRESIDING JUDGE
AUTHORIZATION OVER INTERCEPTIONS OF WIRE
OR ORAL OR OTHER FORMS OF COMMUNICATIONS
OR INVESTIGATORY MATTERS ARISING UNDER
CHAPTER 119 OF TITLE 18 AND MATTERS
UNDER INVESTIGATION BY THE GRAND JURY;
APPLICATIONS FOR PEN REGISTERS AND OTHER
FORMS OF COMMUNICATIONS UNDER CHAPTER 206
OF TITLE 18; MOTIONS TO RECONSIDER OR OVERRULE

) ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
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OR OTHER FORMS OF COMMUNICATIONS OR INVESTIGATORY MATTERS
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All applications for authorization for interceptions of wire or oral or other forms of communications or other investigatory matters arising under Chapter 119 of Title 18 of U.S. Code and/or concerning matters under investigation by the grand jury shall be presented to the judge presiding over the grand jury. Such judge will be responsible for ruling on all such matters both during the time while presiding, and thereafter, if such matters or later applications concerning the same investigations should carry over or be presented after the grand jury has been relinquished to some other judge. If the presiding judge should be unavailable, any such application or matter may be presented to any other judge of the Court. The presiding judge should be notified by the U.S. Attorney in writing of such presentation to another judge as soon as possible thereafter. All civil cases arising out of such applications shall be assigned directly to the calendar of such judge responsible for them under this order.

Applications for pen registers, trap and trace devices, and other forms of communications under Chapter 206 of Title 18 of U.S. Code may be presented to the duty magistrate. The presiding judge should be notified by the U.S. Attorney in writing of such presentation to a magistrate judge if the subject matter of the application involves an on-going grand jury investigation.

Once a motion or application has been presented and an order entered by a judicial officer sitting in this district, a motion to reconsider or overrule said order shall be presented only to the judicial officer entering the order or to the other active judges sitting en banc. A unanimous vote of the other active judges sitting en banc will be required to overrule such order previously entered. The movant or applicant shall make known the action taken by the judicial officer to whom it was previously submitted. This provision is intended to apply to applications for search warrants, wiretaps, pen registers and other such applications or motions which are made to a judicial officer without a case having been filed. It is not a means to appeal an order entered in a case, nor is it intended to apply where a case is transferred from one judge to another and a motion to reconsider a prior ruling is made.