UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF LOUISIANA

IN RE: GENERAL ORDER

ASSIGNMENT OF CASES FILED IN   NO. 2024-3
THE MIDDLE DISTRICT OF LOUISIANA

ORDER

This Order sets forth the internal procedures to be used by the Clerk of Court to effectuate General Order 2024-2 pertaining to direct random assignment of civil cases to United States Magistrate Judges. In order to ensure the random assignment of cases to the fullest extent possible in a fair and equitable manner, the Clerk of Court shall assign all cases filed on and after March 4, 2024 in the following manner until further order of this Court.

I.   Assignment of Cases:

   a. Sections of Court: The sections of court for purposes of case assignment are as follows:

      i.   Section SDD

      ii. Section BAJ

      iii. Section JWD

      iv. Section RLB

      v.   Section EWD

      vi. Section SDJ

b. Civil Cases Ineligible for Direct Assignment to U.S. Magistrate Judges:
    The following types of civil cases are ineligible for direct assignment to a
    U.S. Magistrate Judge.

    - Cases filed by persons in state or federal custody, or on their
      behalf;

    - Cases in which a Motion seeking immediate injunctive relief is filed;

    - Bankruptcy cases involving appeals from orders by the Bankruptcy
      Judge or Petitions for Withdrawal of Reference)

    - Social Security Cases, other than appeals

    The Clerk of Court shall randomly assign all civil cases ineligible for direct
    assignment to U.S. magistrate judges as follows:

    i.   Chief District Judge Shelly D. Dick: 33.33%

    ii. District Judge Brian A. Jackson: 33.33%

    iii. District Judge John W. deGravelles: 33.33%

c. Civil Cases Eligible for Direct Assignment to U.S. Magistrate Judges: The
    Clerk of Court shall randomly assign civil cases eligible for direct
    assignment to U.S. magistrate judges as follows:

    i. Social Security Appeals (Nature of Suit Nos. 861-865):

        1. Magistrate Judge Richard L. Bourgeois: 33.33%

        2. Magistrate Judge Erin Wilder-Doomes: 33.33%

        3. Magistrate Judge Scott Johnson: 33.33%

    ii. Other Civil Cases: Twenty percent (20%) of all other civil cases
        shall be directly and randomly assigned by the Clerk of Court to

U.S. Magistrate Judges on a proportionally equal basis. The remaining percentage (80%) of all other civil cases which are not assigned to a magistrate judge shall be randomly assigned by the Clerk of Court to district judges on a proportionally equal basis.

d. Criminal Cases: The assignment of Criminal Cases is unaffected by this Order. The Clerk of Court shall continue to randomly assign criminal cases as follows:

  i. Chief District Judge Shelly D. Dick: 33.33%

  ii. District Judge Brian A. Jackson: 33.33%

  iii. District Judge John W. deGravelles: 33.33%

II. Automated Case Assignment System

a. There shall be a separate section described as a "card deck" within the electronic filing system for each of the categories set forth below in assigning cases to a district judge and/or a magistrate judge in the proportions set forth in Section I.

  i. Criminal Cases

  ii. Death Penalty Cases

  iii. Consent Civil

  iv. SSA Consent

  v. Prisoner Civil

b. The categories of the card decks for the assignment of cases on an equal basis, shall be as follows:

  i. Habeas/Prisoner/Title 28 U.S.C. § 2255

      ii. Criminal Cases

     iii. Magistrate Judge Cases – Pre-Indictment Actions; petty offenses

     iv. All Other Cases

III.   Assignment Procedures

    a. Upon the filing of the initial pleading through the Court's electronic case filing system, the Clerk, based on the Nature of Suit selected by counsel, will randomly assign a district judge and/or a magistrate judge from the appropriate district judge or magistrate judge card deck. The Notice of Electronic Filing will indicate the assigned district judge and/or magistrate judge. All subsequent papers filed in the action will bear the case number assigned and the section assigned.

    b. The Clerk shall ensure that the Automated Case Assignment System will automatically regenerate the appropriate number of cards when the deck is depleted.

    c. Credit shall be given to the judge to whom a case is assigned outside of these procedures.

    d. When a judge is recused in a pending case and/or consent to a magistrate judge is declined, the Clerk will reassign the case using the Automated Case Assignment System. The Automated Case Assignment System will automatically replace the card of the judge from whom the case was reassigned.

    e. When a judge is automatically recused in a case at the time it is filed, a random assignment will nevertheless be made in that case. In the event

the random drawing assigns the case to the judge who is also automatically recused, the Clerk will reassign the case using the Automated Case Assignment System.
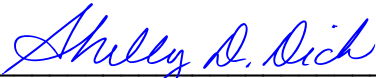
f. Except for the authority of the chief judge, cases may be transferred from one section to another only upon the concurrence of the transferor and the transferee judges.

g. In the interest of justice and judicial economy, the Court may make by *en banc* order changes to the percentage of cases assigned to each section, reallocate pending cases and/or designate a case or cases to be handled by a particular section.

All Orders or General Orders to the contrary are hereby vacated and set aside.

IT IS SO ORDERED.

Signed in Baton Rouge, Louisiana, March 1, 2024.

FOR THE EN BANC COURT:

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SHELLY D. DICK, CHIEF JUDGE
MIDDLE DISTRICT OF LOUISIANA