

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN

In re: )  
 )  
LOCAL CRIMINAL RULE 57.3(g) ) Administrative Order  
 ) No. 13-082  
\_\_\_\_\_ )

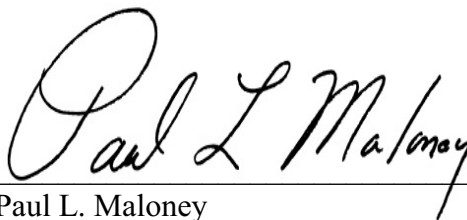
At a regular Judges' meeting conducted on September 20, 2013, the Court approved an amendment to the Local Criminal Rules involving issuance of writs of habeas corpus *ad prosequendum* and *ad testificandum*. By adding a new subsection (ii) to Criminal Rule 57.3(g), the Court makes it clear that requests to issue writs under seal must be properly supported with a factual showing of good cause and that both the application and the order for issuance of the writ must clearly reflect in their captions that the documents are being filed under seal, to prevent inadvertent disclosure. Now, therefore:

IT IS ORDERED that Local Criminal Rule 57.3(g) of this Court be and hereby is amended, as shown in the attachment to this Administrative Order.

IT IS FURTHER ORDERED that the foregoing amendment shall take effect immediately, because it does not affect substantive or procedural rights and will afford immediate improvement to the record keeping of this Court. *See* 28 U.S.C. § 2071(e). Any member of the public may, however, submit a comment in writing no later than **November 1, 2013**, to the Clerk of Court by mail or electronically to [ecfhelp@miwd.uscourts.gov](mailto:ecfhelp@miwd.uscourts.gov). The Court will consider all comments and determine whether a further amendment to the Rule is required.

IT IS FURTHER ORDERED that the Clerk shall provide a copy of this Administrative Order to the Judicial Conference of the Sixth Circuit, the Administrative Office of the United States Courts, the United States Attorney and the Federal Public Defender for this District, the Local Rules Advisory Committee for the Western District of Michigan, and the Standing Committee on Rules of the Judicial Conference. All attorneys who are registered for electronic service on the CM/ECF system shall be given electronic notice of this Rule Amendment.

FOR THE COURT:



Paul L. Maloney  
Chief United States District Judge

Dated: September 24, 2013

### **Local Criminal Rule 57.3**

(g) Writs of habeas corpus

- (i) Requirements - All writs of habeas corpus ad prosequendum or testificandum for an individual shall, in addition to stating a specific date and time, include the following phrase: “and at such other times and dates as the Court may decree.” Every effort shall be made to allow fourteen (14) days after service prior to the required appearance.
- (ii) Requests to seal - A request that the writ be issued under seal must state facts showing good cause supporting the request. The caption of both the application and the proposed order granting the writ must clearly identify the document as being filed under seal.