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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STANDING ORDER FOR CRIMINAL CASES BEFORE JUDGE DONATO

CONFORMITY TO RULES

1. Counsel are expected to consult and comply with all provisions of the Federal and Local Rules of Criminal Procedure relating to disclosure and discovery, motions, continuances, and all other matters, unless specifically superseded by this Standing Order.

SCHEDULING

2. The criminal law and motion calendar is conducted on the fourth Friday of each month at 1:00 p.m. at the Oakland Courthouse, 1301 Clay Street, Oakland, California. While motion hearings will occur at the Oakland Courthouse, all pretrial conferences, trials and evidentiary hearings in this Court’s Oakland criminal cases will be heard at the San Francisco Courthouse, Courtroom 11, 19th Floor, 450 Golden Gate Avenue, San Francisco, California. During the months where this Court serves as General Duty in San Francisco, this Court will not hold calendars in Oakland. Information regarding the location of the Court’s Oakland criminal hearings will be posted on the Court’s weekly calendar on the Court’s website.

3. If any party wishes to have a matter placed on the Court’s calendar and if the defendant is in custody, counsel must contact this Court’s Courtroom Deputy at (415) 522-4173, by 10:00 a.m. the day before the defendant is to be transported to the Court by the United States Marshal.

4. To request a continuance of a scheduled hearing, counsel must file a proposed order, preferably by stipulation, including whether time under the Speedy Trial Act should be

1 excluded, by no later than 10:00 a.m. the Monday prior to the scheduled hearing. Continuances
2 are not granted unless and until the Court so orders.

3 **CHAMBERS COPIES**

4 5. The parties are required to lodge for chambers one paper copy of each document
5 that is filed electronically. All chambers copies must be three-hole punched at the left margin and
6 marked with the ECF stamp (case number, document number, date and page number). These
7 printed copies shall be marked “Chambers Copy -- Do Not File” and shall be in an envelope
8 clearly labeled with the judge’s name and case number. All chambers copies must be submitted to
9 this Court’s San Francisco chambers; please do not deliver chambers copies to the Oakland
10 Courthouse.

11 **SEALED DOCUMENTS**

12 6. Parties seeking to file a document under seal must follow the procedures required
13 by the Criminal Local Rules. All documents under seal should be lodged with the Oakland
14 Clerk’s Office. The parties shall, however, submit a chambers copy of the documents under seal
15 directly to this Court’s San Francisco chambers in accordance with the above provision on
16 chambers copies.

17 **CHANGE OF PLEA**

18 7. If a plea is being entered pursuant to a plea agreement, counsel for the government
19 shall deliver a copy of the plea agreement to chambers on the 19th Floor in San Francisco by
20 10:00 a.m. the day before the plea is to be entered. If the plea is not pursuant to a plea agreement
21 or if the specifics of the agreement are not yet finalized, counsel for the defendant shall notify the
22 Courtroom Deputy of the entry of an open plea, and shall deliver a copy of the application for
23 entry of plea to chambers by 10:00 a.m. the day before the plea is to be entered.

24 **DISCOVERY**

25 8. The procedures for disclosure and discovery set forth in the Local Criminal Rules,
26 in particular Criminal Local Rule 16-1, and the Federal Rules of Criminal Procedure will be
27 strictly enforced.

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SENTENCING MEMORANDA AND MOTIONS RELATING TO SENTENCING

9. Although the parties are not required to file a Sentencing Memorandum except as set forth in Criminal Local Rule 32-5(b), the Court encourages the parties to submit a Sentencing Memorandum. If a party chooses to submit a Sentencing Memorandum to the Court, it must be filed and served in accordance with the Criminal Local Rules.

IT IS SO ORDERED.

Dated: April 7, 2014



JAMES DONATO
United States District Judge