

USAO Criminal Duty Matters E-Filing Pilot Project Cheat Sheet Opening a Criminal Duty Matter Case, E-Filing the Case Initiating Document(s) and Duty Magistrate Judge Notification

Prepared by Rolls Royce Paschal
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Documents

<p><u>Search/Seizure Warrant</u></p> <ul style="list-style-type: none"> Application for Search/Seizure Warrant Proposed Search and/or Seizure Warrant Delayed-Notice Search Warrant Report (Form AO-95 dated 09/12) (if applicable; see 18 U.S.C. § 3103a(d)(1)) Application for Leave to File Under Seal (if applicable) Proposed Order for Leave to File Under Seal (if applicable) 	<p><u>Pen Register</u></p> <ul style="list-style-type: none"> Application for Pen Register and/or Trap and Trace Device, or Order Under 18 U.S.C. § 2703 (d) Proposed Order Delayed-Notice Search Warrant Report (Form AO-95 dated 09/12) (if applicable; see 18 U.S.C. § 3103a(d)(1))
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Create a Docket

CM/ECF Category	Criminal Events → AUSA - Criminal Duty Matters → Open a Criminal Case.										
Selecting the Divisional Office and Case Type	<p>Office: Coincides with the location of the Participating AUSA filer:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;"><u>Participating AUSA Filer</u></td> <td style="width: 40%;"><u>Office Code</u></td> </tr> <tr> <td>• AUSA located in the Western Division USAO</td> <td>= Western Division - Los Angeles</td> </tr> <tr> <td>• AUSA located in the Eastern Division USAO</td> <td>= Eastern Division - Riverside</td> </tr> <tr> <td>• AUSA located in the Southern Division USAO</td> <td>= Southern Division - Santa Ana</td> </tr> </table> <p>Case type: Defaults to “mj” to indicate that you are opening a magistrate judge case. Date filed: Automatically displayed on the screen and cannot be modified. County: Lists every county in California, also choices for “XX US, Outside California” and “XX Outside US.” Other court name and Other court number: Leave blank.</p>	<u>Participating AUSA Filer</u>	<u>Office Code</u>	• AUSA located in the Western Division USAO	= Western Division - Los Angeles	• AUSA located in the Eastern Division USAO	= Eastern Division - Riverside	• AUSA located in the Southern Division USAO	= Southern Division - Santa Ana		
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Adding Parties	<p><u>Party Name</u></p> <p>USA: Will automatically appear as the plaintiff.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 60%;"><u>Generic Party Name for the Defendant</u> (DO NOT USE ALL CAPS)</th> <th><u>Type of Applications</u></th> </tr> </thead> <tbody> <tr> <td>▪ Search Warrant</td> <td>Application for a Search Warrant</td> </tr> <tr> <td>▪ Seizure Warrant</td> <td>Application and Affidavit for Seizure Warrant</td> </tr> <tr> <td>▪ Pen Register</td> <td>Application for an Order Authorizing the Installation and Use of a Pen Register and/or Trap and Trace Device</td> </tr> <tr> <td>▪ In re Application of the United States for an Order Pursuant to 18:2703(d)</td> <td>Application for an Order Under 18 U.S.C. § 2703(d)</td> </tr> </tbody> </table> <p><u>Party Information</u></p> <p>Role: The system default is “Defendant (dft:pty).” Defendant no: The system default is “1.”</p> <p><u>Important Note:</u></p> <ul style="list-style-type: none"> Do not enter any address or contact information for the defendant. Do not change the “Start date,” or modify the “Notice,” “Pro Se” and “Corporation” fields. Most of the Party Information fields should be left blank. 	<u>Generic Party Name for the Defendant</u> (DO NOT USE ALL CAPS)	<u>Type of Applications</u>	▪ Search Warrant	Application for a Search Warrant	▪ Seizure Warrant	Application and Affidavit for Seizure Warrant	▪ Pen Register	Application for an Order Authorizing the Installation and Use of a Pen Register and/or Trap and Trace Device	▪ In re Application of the United States for an Order Pursuant to 18:2703(d)	Application for an Order Under 18 U.S.C. § 2703(d)
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Create Case	<p>Once the party's name has been entered and the correct roles assigned, click "Create Case."</p> <p>The new case number you are given on this screen must be entered on all documents filed with the Court in this case. Remember to format the case number correctly, however. You will need to add the case type ("MJ") and the office code (for the division you selected from the "Office" drop-down menu) to the case number as it first appears on screen.</p> <table border="1" style="margin-left: 20px;"> <thead> <tr> <th><u>Code</u></th> <th><u>Office</u></th> <th><u>Full Case Number Example</u></th> </tr> </thead> <tbody> <tr> <td>• 2</td> <td>= Western Division - Los Angeles</td> <td>2:17-MJ-00023</td> </tr> <tr> <td>• 5</td> <td>= Eastern Division - Riverside</td> <td>5:17-MJ-00023</td> </tr> <tr> <td>• 8</td> <td>= Southern Division - Santa Ana</td> <td>8:17-MJ-00023</td> </tr> </tbody> </table> <p>You must now file and docket the case initiating document to complete the opening of your new case. Otherwise, the case you just opened will be administratively closed.</p>	<u>Code</u>	<u>Office</u>	<u>Full Case Number Example</u>	• 2	= Western Division - Los Angeles	2:17-MJ-00023	• 5	= Eastern Division - Riverside	5:17-MJ-00023	• 8	= Southern Division - Santa Ana	8:17-MJ-00023
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Docket the Case Initiating Document	
CM/ECF Category	Criminal Events → AUSA - Criminal Duty Matters → Magistrate Case Initiating Documents
Selecting the Lead Event	<ul style="list-style-type: none"> • Application for Authorization for Pen Register • CRMAG - Application for a Search Warrant - NFPV • CRMAG - Application for a Seizure Warrant - NFPV
Selecting Filer	Click on the USA [pla] party's name in the "Select the Party" box.
Associating the Filing Attorney with the Filing Party	The box on the left-hand side of the page must be checked for USA the filing attorney represents. If that attorney is lead counsel and wants to be identified as lead counsel on the docket sheet, click the "Lead" box to the right. The "Notice" box on the right should be pre-populated with a checkmark – DO NOT UNCHECK THIS BOX.
Uploading PDF Documents	<p>Main Document: Upload your case initiating document (the Application).</p> <p>Attachments 1: Upload your Proposed Warrant or Order. Select the "Proposed Warrant" or "Proposed Order" description from the drop-down menu in the "Category" field.</p> <p>Attachments 2: If applicable, upload your Delayed-Notice Search Warrant Report (Form AO-95). Select the "Delayed-Notice S/W Report (AO-95)" description from the drop-down menu in the "Category" field.</p>
For Pen Register Event Only	Select the type of Application being filed: <ul style="list-style-type: none"> ○ Application for Pen Register and/or Trap and Trace Device ○ Application for an Order Pursuant to 18 U.S.C. section 2703(d)
System-Delivered Docket Text	If applicable, select the appropriate description from the drop-down arrow menu field and/or enter a description in the blank text field.

If Applicable, Docket the Application for Leave to File Under Seal	
CM/ECF Category	Criminal Events → AUSA - Criminal Duty Matters → AUSA CR Duty - Motion Filings
Event	<ul style="list-style-type: none"> • Seal AUSA CR Duty Document
Uploading PDF Documents	<p>Main Document: Upload your Application for Leave to File Under Seal.</p> <p>Attachments 1: Upload your Proposed Order. Select the "Proposed Order" description from the drop-down menu in the "Category" field.</p>
System-Delivered Docket Text	If applicable, select the appropriate description from the drop-down arrow menu field and/or enter a description in the blank text field.

Note: If the Application for Leave to File Under Seal **was filed subsequently**, the filer must immediately send an email to the chambers email address of the magistrate judge on duty at the time of filing the Application for Leave to File Under Seal. If the filer fails to email notice to the duty judge promptly after filing the Application for Leave to File Under Seal, the request may not be considered.

Notice to Duty Magistrate Judge

Send an E-mail to the Assigned Duty Magistrate Judge

You **must immediately** proceed to send an email to the chambers email address for that day's Duty Magistrate Judge. The notice email **must include** the following information:

- notice that an Application has been filed,
- the case number,
- contact information for the responsible agent (if applicable),
- the AUSA who filed the Application,
- a Word or Word Perfect copy of the Proposed Warrant or Order, and
- if applicable, a Word or Word Perfect copy of the Proposed Order to Seal.

Note: If multiple related Applications are filed concurrently (such as when a single Affidavit covers multiple search locations), the notice email should include a list of all such Applications and their associated case numbers and attach any required Word or Word Perfect copies of Proposed Warrants and Proposed Orders to Seal.

The subject line of the email shall read: **USA v. Search Warrant - 2:17-mj-00023 - Application for a Search Warrant filed on 3/20/2017.**

Identifying Appropriate Duty Magistrate Judge

- New Applications e-filed **between 8:00 a.m. and 4:30 p.m.** on regular Court days.

The notice email must be sent to the magistrate judge on **criminal document duty that day.**

- New Applications e-filed **after 4:30 p.m.** that do not require emergency attention.

The notice email must be sent to the magistrate judge on **criminal document duty the next regular Court day.**

- New Applications e-filed **between 4:31 p.m. and 8:00 a.m.** the next regular Court day that **require emergency attention.**

A notice email is not sufficient. In addition to the notice email, which should be directed to the **magistrate judge on after-hours duty** at the time the Application is e-filed, the filer **must also** follow the current procedures for all after-hours filings and **contact the United States Marshals Service.** Note that the magistrate judge on after-hours duty as of 4:31 p.m. receives applications that require emergency attention until 8:00 a.m. the following day.

- Applications that have already been denied by a previous duty judge and that are being re-filed with amendments or corrections.

The notice email must be sent to **the judge who denied the original Application** even if a different judge is on duty the day the amended Application is filed, **unless** the amended Application requires emergency attention outside regular court hours.

- Previously denied Applications re-filed between 4:31 p.m. and 8:00 a.m. the next regular Court day that **require emergency attention.**

The notice email should be sent to **the magistrate judge on after-hours duty** at the time the Application is re-filed, regardless of which judge denied the original Application.

For Search and Seizure Warrants Only

Unless otherwise directed by the duty judge to whom the notice email is sent, **the agent** seeking to obtain a search/seizure warrant **during regular court hours must**, after the Application has been e-filed and the notice email sent, bring the **original and one copy** of the Application and any other e-filed documents directly to the appropriate duty magistrate judge in person, in accordance with current practice.