

INDIVIDUAL PRACTICE RULES OF JUDGE NATASHA C. MERLE

Updated February 18, 2025

United States District Court
for the
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Courtroom 2F North

Chambers Phone: (718) 613-2350
Chambers Email: Merle_Chambers@nyed.uscourts.gov
Courtroom Deputy Alicia Guy: (718) 613-2355

RULES AT A GLANCE

TOPIC	ISSUE	REQUIREMENT	RULE
Case Filings	Electronic Case Filing (ECF)	Mandatory, except <i>pro se</i> litigants. Text-searchable.	I.A
	Filing Under Seal	File via ECF per EDNY instructions. Attach proposed sealed documents.	I.B
	Word-Processing Files	Mandatory for proposed orders, jury instructions, findings of fact, conclusions of law, and other writings Court is requested to adopt. Email to chambers in PDF and Word formats.	I.C
	Letters	Identify addressee and subject matter.	I.D
	Courtesy Copies	Two copies to chambers for motions to dismiss, grant summary judgment, compel arbitration, remand to state court, or any submission that is 25+ pages in length. ECF-stamped. <i>Pro se</i> litigants exempt.	I.E
	Adjournments or Extensions of Time	File via ECF at least 2 business days prior to scheduled deadline.	I.F
	Evidentiary Filings	Excerpt transcripts, file declaration identifying exhibits, and provide short titles describing exhibits.	I.G

Communications with Chambers & Hearings	Written Communications	File via ECF, prior authorization required for fax and/or email communication.	II.A
	Telephone Calls	For docketing, scheduling, or calendar matters, call Courtroom Deputy Alicia Guy. No <i>ex parte</i> substantive calls. If submission is urgent, file on ECF first then call.	II.B
	Pronouns & Honorifics	Advise courtroom deputy prior to appearance.	II.C
	Oral Argument	Less experienced attorneys encouraged to participate.	II.D
	Electronic Equipment	Schedule meeting with courtroom deputy at least 1 week prior to trial.	II.E
Civil Motions	Pre-Motion Conferences	Required for proposed movants represented by counsel prior to motions pursuant to Fed. R. Civ. P. 12 or 56 and motions to change venue, compel arbitration, or remand to state court. All cases except habeas corpus / prisoner petitions, social security appeals, and bankruptcy appeals. File letter-motion of no more than 3 pages, 7 days for response letter.	III.A
	Briefing Schedule	Court will set briefing schedule. Parties must follow bundling rule, except	III.B

		for criminal cases, <i>pro se</i> litigants, and certain motions.	
	Memoranda of Law	Opening and opposition briefs: 25 pages, double-spaced. Reply briefs: 10 pages, double-spaced. 12-point font, including footnotes. Table of contents if 10+ pages. Reconsideration briefs limited to 10 pages.	III.C
	Social Security Cases	Stipulation of fact with chronology of medical treatment and citations to the record.	III.D
Civil Proceedings	Joint Pretrial Orders	Submit 60 days from close of discovery, including witness, exhibit, and motions <i>in limine</i> lists.	IV.A
	Pretrial Filings	Motions <i>in limine</i> due 31 days before jury selection. Responses due 14 days after motions filed.	IV.B.1
		Requests to charge, proposed verdict sheets, and proposed <i>voir dire</i> questions due 14 days before jury selection.	IV.B.2
		Three copies of tabbed binders containing all exhibits by Friday before start of trial. Email paginated PDF exhibit files at least 7 days before trial.	IV.B.3

		Plaintiffs mark with numbers, defendants mark with letters.	
	Post-Trial Filings	Proposed findings of fact and conclusions of law due 21 days after trial. Responses only with leave of Court.	IV.C
Criminal Proceedings	Initial Matters	Initial pretrial conference scheduled after AUSA informs chambers of new matter.	V.A.1
		Pre-motion conference request in writing.	V.A.2 V.A.3
	Bail Modification or Appeal	File letter-motion for bail modification via ECF.	V.B.1
		Contact chambers to arrange conference for appeal and provide record at least 2 business days prior to conference.	V.B.2
	Pretrial Filings	Motions <i>in limine</i> due 31 days before jury selection. Responses due 14 days after motions filed.	V.C.1
		Requests to charge and proposed <i>voir dire</i> questions 10 business days before trial.	V.C.2
		Follow rules for civil filings where applicable.	V.C.3
		Pre-mark and exchange exhibits with other parties at least 10 days before trial.	V.C.4

		Three copies of tabbed binders with all exhibits and list of exhibits and witnesses no later than Friday before trial.	V.C.5
	Guilty Pleas	Email plea agreement or sentencing sheet and list of elements at least 3 days prior to hearing. Include copy of information if guilty plea expected.	V.D
	Sentencing	Adjournment applications at least 10 business days before sentencing. Response due 6 business days prior to sentencing.	V.E.1
		Sentencing submissions, if any, at least 10 business days before sentencing. Response due 7 days before sentencing, except if Government is moving for departure from guidelines, then response due 14 days before sentencing.	V.E.2.a
		Objections to presentence reports at least 7 days before sentencing. Specify language and paragraph numbers.	V.E.2.b
		Notice of victim impact statement at least 2 days before sentencing.	V.E.2.c
		Address restitution and forfeiture, incarceration,	V.E.2.d

		probation, and supervised release in sentencing submissions.	
		Preliminary forfeiture order, if any, due 7 days before sentencing unless forfeiture contested, then 14 days prior.	V.E.2.e
		At least 3 days' notice of guilty plea in violation of supervised release. Specify violations.	V.E.3
<i>Pro Se</i> Litigants	Responsibilities of <i>Pro Se</i> Litigant	Communicate with the Court only in writing and ensure contact information on file with Court remains current.	VI.A
	Responsibilities of Counsel	Provide copy of Individual Rules to <i>pro se</i> litigant and file certificate of service.	VI.B
	Habeas Petitions	Respondent must serve <i>pro se</i> petitioner with answer and record after filing via ECF. Include table of contents or index.	VI.C

I. CASE FILINGS

A. Electronic Case Filing (ECF)

Pursuant to Administrative Order 2004-o8, all case documents must be filed electronically via ECF for all criminal and civil cases, except that parties proceeding *pro se* need not file via ECF. All written submissions and supporting materials must be text-searchable, to the extent practicable.

Parties represented by counsel in *pro se* cases must file documents via ECF and serve copies on the *pro se* litigants.

The Eastern District's User Guide for ECF, which includes contact information for questions regarding ECF, is available at:

https://img.nyed.uscourts.gov/files/local_rules/ecf-usermanual.pdf. Parties are advised not to contact chambers with questions regarding ECF registration, filing, or other technical issues.

B. Filing Submissions Under Seal

Motions for leave to file documents under seal should be filed via ECF in accordance with the EDNY's instructions for filing sealed documents. The proposed sealed documents should be attached to the motion for leave to file under seal.

Instructions for filing sealed documents in civil cases are at:

<https://img.nyed.uscourts.gov/files/forms/EfilingSealedCV.pdf>;

instructions for filing sealed documents in criminal cases are at:

<https://img.nyed.uscourts.gov/files/forms/EfilingSealedCR.pdf>.

C. Word-Processing Files of Certain Submissions

Proposed orders, jury instructions, findings of fact, conclusions of law, and other writings a party requests that the Court adopt shall be filed on ECF and provided via e-mail, in PDF and Microsoft Word format, to Merle_Chambers@nyed.uscourts.gov.

D. Filings Styled as Letters

Any filing styled as a “Letter” shall identify in its ECF header (i) the addressee and (ii) the subject matter. *E.g.*, “Letter to Judge Merle re: Request for Remote Conference.”

E. Courtesy Copies

1. Parties shall deliver to chambers two (2) courtesy copies of the following submissions:
 - a. all written submissions filed on ECF that are twenty-five (25) pages in length or more (inclusive of any exhibits or attachments); and
 - b. regardless of page length, all (i) motions to dismiss, (ii) motions for summary judgment, (iii) motions to compel arbitration, and (iv) motions to remand to state court.
2. The courtesy copies will be reproductions of the document as filed on ECF, with the ECF stamp appearing at the top of the page.
3. Courtesy copies must comply with the following requirements:
 - a. Documents must be printed double-sided and bound on the left side.
 - b. For submissions fifty (50) pages in length or more, all documents comprising a submission (*i.e.*, memoranda, declarations, exhibits, etc.) must be submitted together, in a single three-ring binder with appropriately labeled tabs. For example, all exhibits must be identified and separated by corresponding numbered or lettered tabs. Binders must be appropriately sized for their contents, but they must not exceed 2 inches. Binder covers and spines must identify the case name, docket number, and the binder’s contents.

- c. Parties proceeding *pro se* are exempt from these requirements but should make every effort to clearly mark exhibits and present well-organized papers.

F. Requests for Adjournments or Extensions of Time

1. All requests for adjournments or extension of time must be in writing and submitted on ECF and state:
 - a. the original date;
 - b. the reason for the request;
 - c. the number of previous requests for adjournment or extension;
 - d. whether these previous requests were granted or denied; and
 - e. the adversary's position.
2. If the requested adjournment or extension of time affects any other scheduled dates, proposed revised dates must be provided.
3. Absent an emergency, all requests for adjournment or extension of time shall be made at least two (2) business days prior to the scheduled deadline or appearance.
4. Requests for adjournments in criminal cases must also state:
 - a. whether the parties have agreed on a new date or period of availability; and
 - b. whether the parties move, either jointly or separately, to exclude time under the Speedy Trial Act and the reason. If moving separately, the requesting party must indicate whether the non-requesting party opposes the motion.

G. Evidentiary Filings

1. Parties shall file only the pages of transcripts containing relevant testimony cited in the memoranda or affidavits. However, excerpts must comply with Fed. R. Evid. 106. Parties shall include the transcript cover page and portion of the transcript necessary for completeness. If the transcript contains a discussion of a matter, include the whole discussion.
2. Parties shall include a declaration identifying each of the exhibits and the page ranges of the exhibits within the compiled PDF.
3. The exhibits shall be designated on ECF with short titles. *E.g.*, “Ex. 1 – Doe Declaration,” rather than “Ex. 1.”
4. Parties filing exhibits other than documents and images (*e.g.*, audio or video files) must call Courtroom Deputy Alicia Guy at (718) 613-2355 for further instructions.

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II. COMMUNICATIONS WITH CHAMBERS & HEARINGS

A. Written Communications

1. All communications with chambers shall be in writing and filed on ECF, with copies simultaneously delivered to all parties who do not receive automatic notification through ECF.
2. Parties may not communicate with the Court via fax and/or email without prior authorization.

B. Telephone Calls

Parties are encouraged to communicate with the Court via written communication rather than by telephone. For docketing, scheduling, or calendar matters, please call Courtroom Deputy Alicia Guy at (718) 613-2355. *Ex parte* telephone calls to chambers about the substance of cases are not permitted.

If a submission requires immediate attention—including for settlement shortly before hearing or conference—please file on ECF and then call chambers.

C. Pronouns & Honorifics

The parties and counsel may advise the courtroom deputy if they would like to be addressed with a particular pronoun and/or honorific so that the Court may address them respectfully.

D. Participation of Attorneys in Oral Argument

The Court encourages the participation of less experienced attorneys (*i.e.*, those with six (6) or fewer years of experience). To facilitate this provision, the Court is amenable to permitting more than one attorney to argue for one party.

E. Use of Electronic Equipment

Any party wishing to present marked exhibits to the jury in digital form who has not previously used the Court's electronic equipment is directed to schedule a meeting with Courtroom

Deputy Alicia Guy at least one (1) week prior to the commencement of the trial to review the available equipment for the presentation of digital evidence. Counsel should be accompanied by the audio-visual personnel who will be operating any equipment that will be used at trial.

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III. CIVIL MOTIONS

A. Pre-Motion Conferences

1. In all cases in which the proposed movant is represented by counsel (except habeas corpus/prisoner petitions, social security appeals, and bankruptcy appeals), a pre-motion conference with the Court must be requested before making:
 - a. any motion pursuant to Fed. R. Civ. P. 12 or 56;
 - b. any motion for a change of venue;
 - c. any motion to compel arbitration; or
 - d. any motion to remand a removed case to state court.
2. To request a pre-motion conference, the moving party shall file a letter-motion not to exceed three (3) pages in length setting forth the basis for the anticipated motion. Opposing parties, including *pro se* parties, shall file a response, not to exceed three (3) pages, within seven (7) days.
3. Pre-motion letters and responses must contain a synopsis of the arguments and legal authority.
4. Pre-motion letters regarding an anticipated Rule 56 motion must attach a statement of material facts in the form set forth in Local Civil Rule 56.1. Pre-motion responses must attach a counter-statement of material facts directly responding to the movant's 56.1 Statement and in the form set forth in Local Rule 56.1.
5. Service of the letter-motion within the time requirements of Fed. R. Civ. P. 12 or 56, or any other applicable filing or service deadline, shall constitute timely service of a motion made pursuant to those provisions.

B. Briefing Schedule

1. The Court may set a briefing schedule without holding a pre-motion conference. If the Court holds a pre-motion conference, a briefing schedule will be set if necessary. Movants should anticipate filing the opening motion shortly after the conference.

2. *The Bundling Rule*

- a. Except as otherwise set forth herein, the court requests that the moving party prepare its notice of motion, memorandum of law, and supporting affidavits and exhibits in accordance with Local Civil Rules 7.1 and 11.1, and all other applicable rules of the Federal Rules of Civil Procedure and Local Rules of the Eastern District of New York.

The notice of motion shall not contain a return date. The moving papers shall be served on all parties but only a copy of the movant's cover letter shall be filed via ECF and designated as a Letter. The filing of the cover letter within the time period prescribed by any federal statute, rule relating to the filing of motions, or Court order shall constitute timely filing of the motion within the meaning of such statute or rule, and as required by Fed. R. Civ. P. 5(d)(1).

- b. Opposition papers shall be served on all parties, but only a copy of the opponent's cover letter shall be filed via ECF. That filing shall be designated as a Letter on ECF.
 - c. After the motion has been fully briefed (*i.e.*, the moving papers, opposition papers, and reply papers, if any, have been served), the moving party shall file all of the papers on ECF. Each paper shall be clearly denominated on ECF as a motion, memorandum, affidavit, etc.

- d. When filing a bundled motion for summary judgment, the papers shall be filed in four docket entries:
 - a. The first entry shall contain the Notice of Motion.
 - b. The second entry shall contain the memorandum in support. The entry should include the following documents attached as exhibits:
 - i. the Local Rule 56.1 statement;
 - ii. the declaration listing exhibits; and
 - iii. exhibits (each uploaded as a separate entry and appropriately titled, *e.g.*, “Ex. 1 – Doe Declaration”).
 - c. The third entry shall contain the nonmovant’s filings in the same order.
 - d. The fourth entry shall contain the reply, if any.
- e. The Bundling Rule does not apply to the following motions:
 - a. motions filed in a criminal case;
 - b. motions filed in cases where a party is proceeding *pro se*;
 - c. motions for default judgment pursuant to Fed. R. Civ. P. 55(b)(2);
 - d. post-trial and/or post-judgment motions under Rules 50(b) (for judgment as a matter of law), 52(b) (to amend or make additional findings), 59 (for a new trial) and 60 (for relief from a final judgment, order, or proceeding); and
 - e. motions for attorney’s fees pursuant to Rule 54(d)(2), if the motion is made before a notice of appeal has been filed and the Court has extended the time to appeal under Rule 58(e).

C. Memoranda of Law

Unless prior permission has been granted, memoranda of law in support of or in opposition to motions are limited to twenty-five (25) pages, double-spaced, and reply memoranda are limited to ten (10) pages, double-spaced. These page limits are exclusive of tables of contents, tables of authorities, appendices, and attachments. Parties may use Georgia or Times New Roman 12-point font, with footnotes in 12-point font, and one-inch margins. Memoranda of ten (10) pages or more shall contain a table of contents and table of authorities.

Memoranda in support of or in opposition to motions for reconsideration are limited to ten (10) pages.

Parties are encouraged to file requests to exceed page limits prior to filing the relevant memorandum or brief and include their reasons for good cause.

D. Social Security Cases

1. All social security cases should be consistent with this district's Administrative Order 2015-05 ("In re: Scheduling in Social Security Cases").
2. The Bundling Rule, found in Rule III.B.2., does not apply to social security appeals.
3. Stipulation
 - a. Parties seeking or opposing judgment on the pleadings in social security cases shall confer and prepare a stipulation of fact with a chronology of medical treatment.
 - b. The stipulation shall be filed on ECF when the motion is fully briefed and shall set forth all relevant facts in the administrative record, including information contained in the treatment and medical records, in chronological order and with citations to the record.

- c. If a dispute of fact exists, the parties should include the disputed fact in the chronology, along with a footnote briefly describing the dispute (without argument) and the relevant record citation(s).

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IV. CIVIL PROCEEDINGS

A. Joint Pretrial Orders

Unless otherwise ordered by the Court, the parties shall file a proposed joint pretrial order within sixty (60) days of the completion of fact or expert discovery, whichever occurs later. However, if a pre-motion conference letter in anticipation of a summary judgment motion has been filed, the parties shall file a proposed joint pretrial order within thirty (30) days after a decision on the motion for summary judgment. The proposed pretrial order shall include the following:

1. Caption: The full caption of the action.
2. Parties and Counsel: The names (including firm names), addresses, telephone, and email addresses of trial counsel.
3. Statement of the Case: A short statement of the case that can be used for introduction to potential jurors.
4. Jurisdiction: A statement concerning basis of subject matter jurisdiction, and a brief statement by the defendant on the presence or absence of subject-matter jurisdiction. These statements shall include citations to all (i) statutes and legal doctrines relied on, and (ii) relevant facts concerning citizenship and jurisdictional amount.
5. Claims and Defenses: A brief summary by each party of the elements of the claims and defenses which remain to be tried, including citations to all statutes relied on, with a summary of the facts relied upon to establish each element.
6. Statement of Relief Sought: A detailed statement of the damages and other relief sought by the plaintiff.
7. Jury or Bench Trial; Trial Length: A statement as to whether the case is to be tried with or without a jury, and the number of trial days needed.

8. Consent to Trial by a Magistrate Judge: A statement as to whether all parties have consented to trial of the case by a magistrate judge. The statement shall not identify which parties have or have not consented.
9. Witnesses: A list of names and addresses by each party as to the fact and expert witnesses whose testimony is to be offered in its case in chief, together with a brief narrative statement of the expected testimony of each witness. Only listed witnesses will be permitted to testify except when prompt notice has been given and good cause shown.
10. Deposition Testimony: A designation by each party of deposition testimony to be offered in its case in chief, with any cross-designations and objections by any other party.
11. Stipulations: A statement of stipulated facts, if any.
12. Exhibits: A schedule listing exhibits to be offered in evidence and, if not admitted by stipulation, the party or parties that will be offering them. The plaintiff's exhibits shall be identified by numbers, and the defendant's exhibits shall be identified by letters. Except for good cause shown, only exhibits listed will be received into evidence.

The parties will list and briefly describe the basis for any objections that they have to the admissibility of any exhibits to be offered by any other party and set out the proponent's responses to those objections. Descriptions need not be longer than several sentences, but they shall include more than just a list of the rules upon which objections are based. Any objection not listed in the pretrial order shall be deemed waived, and any exhibits without an objection will be deemed admitted into evidence at the start of the trial. Parties are expected to resolve as many admissibility issues before trial as possible. Where the parties have not resolved their

objections to exhibits, they shall be prepared to address them with the Court at the final pretrial conference.

13. Motions in limine: A list of motions *in limine* each party intends to file, pursuant to the deadline set forth in Rule IV.B.1 below, with a brief description of the nature of such motion.

B. Pretrial Filings in Civil Cases

1. All motions addressing evidentiary or other issues to be resolved *in limine* must be filed at least thirty-one (31) days before the commencement of jury selection. Any responses are due fourteen (14) days after the motions are filed.
2. Requests to charge, proposed verdict sheets, and proposed *voir dire* questions in jury cases shall be filed on ECF and provided to chambers in PDF and Microsoft Word formats no later than fourteen (14) days before jury selection, unless otherwise ordered by the Court.
3. Parties shall email Merle_Chambers@nyed.uscourts.gov with a PDF file of each exhibit at least ten (10) days before the final pre-trial conference. The parties shall also provide the Court with three copies of tabbed binders containing all exhibits, with the case caption on the spine and front cover of each binder, on the Friday before the start of trial, unless otherwise ordered by the Court. If in the judgment of the parties the volume of exhibits makes this binder requirement impracticable, please call chambers at least ten (10) business days before trial for instructions on how to submit courtesy copies of the exhibits.
 - a. The plaintiff's exhibits must be pre-marked with numbers. The defendant's exhibits must be pre-marked with letters.

- b. Any document to be offered in evidence that contains multiple pages shall be paginated by counsel before trial, but any existing Bates stamps or other pagination may suffice.

C. Post-Trial Filings in Civil Cases

In non-jury trials, parties shall file proposed findings of fact and conclusions of law no later than twenty-one (21) days after the conclusion of trial. Responses to such submissions are permitted only with leave of the Court.

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V. CRIMINAL PROCEEDINGS

Individual Rule III.C applies to motions in criminal cases. Individual Rule III.B.2 (the Bundling Rule) does not apply in criminal cases.

A. Initial Matters

1. Assistant United States Attorneys are responsible for informing chambers when a new case has been assigned to Judge Merle by calling Courtroom Deputy Alicia Guy at (718) 613-2355. Upon such notification, an initial pretrial conference will be scheduled.

The Government should file a Rule 12.4 disclosure statement before the first appearance, when applicable.

2. Counsel shall advise the Court of any motions they want to file at a status conference scheduled by the Court. If no status conference has been scheduled, counsel shall request a pre-motion conference in writing and briefly state the grounds for such motion.
3. Except as provided above in Individual Rules V.A.1–2, no pre-motion conference is required for a criminal motion.

B. Bail Modification or Appeal

1. Any written request for a bail modification by a defendant shall be filed on ECF as a letter-motion and shall indicate whether the Government and Pretrial Services Officer consent to the request.
2. A party who wishes to appeal an adverse bail determination by the Magistrate Judge should contact Chambers to arrange a conference for that purpose. The party that brings the appeal is directed to provide the Court no less than two (2) business days before the conference with the transcript of argument on bail before the Magistrate Judge, any written submissions below as to bail, and Pretrial Services' report as to the defendant.

C. Pretrial Filings in Criminal Cases

1. All motions addressing evidentiary or other issues to be resolved *in limine* must be fully briefed and filed no later than thirty-one (31) days before the date fixed for commencement of jury selection. Responses, if any, are due fourteen (14) days after the date the motion is filed, unless otherwise ordered.
2. Unless otherwise ordered by the Court, requests to charge and proposed *voir dire* questions in jury cases should be submitted no later than ten (10) business days before trial.
3. The parties should follow the rules for civil filings where applicable.
4. All exhibits to be used at trial shall be pre-marked and exchanged with the other parties at least ten (10) days before trial.
5. The parties shall provide the Court with three tabbed binders containing copies of all exhibits, as well as an exhibit and witness list, no later than the Friday before trial.

D. Guilty Pleas

1. The parties must provide the Court with a copy of any plea agreement or sentencing sheet and a list of all elements at least three (3) days before a change-of-plea hearing. The documents should be sent by email to Merle_Chambers@nyed.uscourts.gov.
2. If the defendant intends to waive the indictment and plead guilty to an information at the plea hearing, a copy of the information should also be provided to the Court at least three (3) days before the hearing.

E. Sentencing

1. Adjournments

- a. Applications regarding sentencing adjournments shall be made in writing at least ten (10) business days prior to the date of sentencing. The response, if any, shall be made in writing at least six (6) business days before the date of sentencing.

2. Sentencing Submissions

- a. Defendant's sentencing submissions, if any, are due ten (10) business days prior to the date of sentencing. The Government's sentencing submissions are due seven (7) days prior to sentencing, except that if the Government is moving for a departure from the Sentencing Guidelines, that motion shall be made fourteen (14) days prior to sentencing.
- b. Any objections to presentence reports, by either party, must comply with the requirements in Fed. R. Crim. P. Rule 32(f) and 32(g). Objections should be filed under seal on ECF and served upon opposing counsel and the Probation Department. Responses must be filed seven (7) days before sentencing. Any objecting party must identify the specific language and paragraph numbers of the presentence report to which it objects.
- c. The Government should advise the Court at least two (2) days in advance if a victim will be making a victim impact statement at sentencing.
- d. Sentencing submissions should affirmatively address the applicability of restitution and forfeiture in addition to incarceration, probation, and supervised release. If no restitution is being sought, the

Government should say so explicitly in its sentencing memorandum.

- e. The preliminary order of forfeiture, if any is to be submitted, is due seven (7) days prior to sentencing in routine forfeiture cases. If forfeiture is contested, the Government should submit a preliminary order at least fourteen (14) days prior to the sentencing date.

3. *Violation of Supervised Release*

- a. The Court requires at least three (3) days' notice of a guilty plea on a violation of supervised release. The notice must specify the violations as to which the defendant intends to plead guilty.

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VI. *PRO SE* LITIGANTS

A. *Pro Se* Litigant Responsibilities

1. A *pro se* litigant shall:
 - a. Only communicate with the Court in writing, pursuant to Rule II.A.2 (“Parties may not communicate with the Court via fax and/or email without prior authorization.”).
 - b. Ensure that contact information on file with the Court remains current. Failure to do so may result in dismissal of claims and/or entry of default judgment.

B. Responsibilities of Counsel in Matters Involving *Pro Se* Litigants

1. In all cases involving a *pro se* litigant, counsel for represented parties shall:
 - a. Ensure adherence to and compliance with all applicable rules, including Local Civil Rules 7.2, 12.1, 33.2, and 56.2.
 - b. Provide *pro se* litigants with a copy of this Court’s individual rules and file a certificate of service as early as practicable.

C. Habeas Petitions

1. In habeas cases with *pro se* petitioners, the respondent must serve the petitioner with the answer and the state or federal court record when respondent files the answer and the record on ECF. *See* Rule 5(b)–(c) of the Rules Governing Section 2254; Rule 5(b)–(c) of the Rules Governing Section 2255 Cases; Fed. R. Civ. P. 5(a), 10(c).
2. Moreover, when preparing the record, the respondent shall include either a table of contents or an index of the record’s contents.