

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DEC - 2 2009

JAMES N. HATTEN, Clerk
By: *Q. Morz* Deputy Clerk

IN RE:
SUBSTITUTION OF CUSTODY OF
FEDERAL PRISONERS IN THE
RICHARD B. RUSSELL
FEDERAL BUILDING

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STANDING ORDER 09-02

ORDER

The Court's Standing Order 07-06 (Amended), In Re: Substitution of Custody Orders in Criminal Cases, dated October 12, 2007, is vacated, and this Standing Order entered in its place.

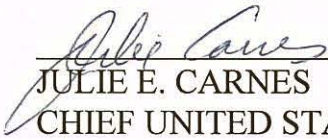
It is hereby ORDERED that the United States Marshal's Service is authorized to release custody of a federal prisoner to federal law enforcement agents without further Order of the court if the United States Attorney's Office has made a written request to the United States Marshal's Service in the form attached to this order. A prisoner will not be taken outside the Richard B. Russell Federal Building and United States Courthouse. The United States Marshal's Service may exercise its discretion to grant or decline any such request or to impose any additional conditions it deems appropriate, provided, however, that any form not conforming to the form attached, whether by action of the United States Attorney or United States Marshal's Service, will require submission to the United States District Judge

to whom the case is assigned for review and approval and issuance of an appropriate order.

All request forms both standard and non-standard, will be filed under seal by the United States Attorney's Office with any District Court Order obtained.

These new procedures are approved for a one-year trial period, after which the Court may revisit the matter.

So ORDERED this 2 day of December 2009.



JULIE E. CARNES
CHIEF UNITED STATES DISTRICT JUDGE

REQUEST BY U.S. ATTORNEY TO UNITED STATES MARSHAL SERVICE
TO SUBSTITUTE CUSTODY IN RICHARD B. RUSSELL FEDERAL
BUILDING

The United States of America, by _____, United States Attorney, and _____, Assistant United States Attorney (“AUSA”) for the Northern District of Georgia, requests that the United States Marshals Service (“USMS”) allow the substitution of custody of prisoner, [NAME OF PRISONER] from the USMS to the [SPECIFIED LAW ENFORCEMENT AGENCY] from 9:00 a.m. until no later than 3:00 p.m. on [DATE]. In support of its request, the United States shows as follows:

1.

Prisoner, [NAME OF PRISONER] is in custody of the USMS. Prisoner, [NAME OF PRISONER] will be interviewed on [00/00/00]. A request to produce from the AUSA will be submitted to the USMS by the Thursday prior to the week the prisoner is needed. Any information relating to the prisoners name, a/k/a, inmate number and location is required in the request to produce.

2.

The interview of [NAME OF PRISONER] will be facilitated if he/she is transferred from the custody of the USMS to that of the [SPECIFIED LAW ENFORCEMENT AGENCY]. In order to avoid the requirement that two Deputy U.S. Marshals remain with [NAME OF PRISONER] during the interview, a transfer

of custody to the [SPECIFIED LAW ENFORCEMENT AGENCY] is requested. The proposed substitution of custody will take place in the Richard B. Russell Building.

3.

[NAME OF PRISONER]'s interview will take place in the Richard B. Russell Building in the United States Attorney's Office. [NAME OF PRISONER] will not be taken outside the Richard B. Russell Building.

4.

Agents will pick up [NAME OF PRISONER] by 9:00 a.m. from the USMS cellblock on the 16th floor, inmates must be returned to the USMS cellblock by 3:00 p.m. in order to be returned to the custodial facility.

5.

At least two of the following agents from [SPECIFIED FEDERAL LAW ENFORCEMENT AGENCY] will pick up and escort the prisoner to and from the USMS cell block: [NAMES OF AGENTS]. [NAME OF PRISONER] will be handcuffed behind the back and in leg irons as he/she is escorted to and from the cell block. The escorting agents will use the large freight elevator. The agents will be responsible for [NAME OF PRISONER]'s noon meal and will return him to the USMS no later than 3:00 p.m. on the day in question.

6.

[NAME OF PRISONER] is represented by counsel. Counsel [NAME OF COUNSEL] has been informed of [NAME OF PRISONER]'s interview and has no objection to the proposed substitution of custody and interview.

Submitted by: [SIGNATURE OF AUSA] _____

ASSISTANT UNITED STATES ATTORNEY
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TELEPHONE _____
(Fax) _____
Georgia Bar No. _____

DATED: _____