

FILED
ADMINISTRATIVE MATTERS
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CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

GENERAL ORDER NO. 2013-9

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

**MAGISTRATE JUDGE
PRE-INDICTMENT DUTIES**

ORDER NO. 2013-9

During the regular Judges' meeting conducted on June 3, 2013, the Court reaffirmed its policy that Magistrate Judges, when serving as the Criminal Duty Magistrate Judge ("CDMJ") in their respective locations, shall perform all criminal pre-indictment duties for the Court, except for Title III applications, including, but not limited to, the following:

- Review and rule on new *ex parte* applications for pen registers, traps and traces and mobile tracking devices (once the CDMJ rules on such an application, he or she will review and rule on any additional, related applications);
- Review and issue search and seizure warrants; sneak and peak and delayed notification warrants;
- Review complaints and issue arrest warrants;
- Conduct initial appearances on arrests upon warrants issued on complaints;
- Conduct detention hearings and/or preliminary hearings following initial appearances on arrests upon warrants issued on complaints (The Magistrate Judge who issued the warrant will conduct the detention and/or preliminary hearing, even if the arrest occurs after the duty period);
- Handle grand jury returns;
- Review and rule upon requests for appointment of counsel.

The only exception to this policy would be under the direction of a District Judge who has previously authorized a Title III wiretap and who has ordered that all matters related to the investigation in which that wiretap issued be brought to him/her for approval.

In Cleveland, Magistrate Judges shall serve as the CDMJ on a rotating two-week basis. In Toledo, Magistrate Judges shall serve as the CDMJ on a monthly basis. The Akron and Youngstown Magistrate Judges shall serve as the CDMJ for their respective locations.

Administrative Order 2010-25 is hereby superseded and is vacated.

IT IS SO ORDERED.

FOR THE COURT


Solomon Oliver, Jr.
Chief Judge
United States District Court