IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

IN THE MATTER OF:

UNIFORM PROCEDURES FOR

DISPOSITION OF HABEAS

* STANDING ORDER NO. 14

CORPUS PETITIONS IN

CAPITAL CASES

*

It is hereby ORDERED that the following special procedural and filing requirements applicable to habeas corpus capital cases only be adopted in this district.

Checklist forms for petitioner, respondent, and amicus curiae or intervenor are adopted for use in this district in habeas corpus capital cases. The checklists are attached as an exhibit to this order.

Prior to or concurrent with the filing of a petition for habeas corpus in a capital case, the petitioner will obtain from the Clerk of this Court a copy of the checklist. Advance preparation of the checklist will facilitate the processing of these cases. When the checklist has been completed, a copy will be served upon all parties and filed with the Clerk of the Court. The Clerk will furnish the respondent or any intervenor with the copy of the appropriate checklist. The respondent and/or intervenor will complete the checklist as appropriate, file the completed checklist, and serve a copy on all opposing parties.

The checklist requires an index tab to be placed on the first page of each exhibit. The petitioner shall use red index tabs and shall sequentially number the tabs commencing with the number P-l. Respondent shall employ blue index tabs and shall sequentially number the tabs commencing with the number R-1. Intervenors shall employ green index tabs and shall sequentially number the index tabs commencing with the number X-1.

Any exhibit referred to in the pleadings will be included and appropriately tabbed. If any pleading, deposition, or transcript is referred to in the pleadings and cannot be located, an explanation will be made as to the reason the exhibit is not physically attached.

DONE this 24th day of April, 1985.	
	/s/
	WILLIAM BREVARD HAND
	CHIEF JUDGE
	/s/
	EMMETT R. COX
	DISTRICT JUDGE

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF ALABAMA DIVISION

			Petitioner,		
••				Case #	
V.					
			Respondent		
			F		
			PETITIONER'S HAB	EAS CORPUS CHECKLIST	
I.	<u>Genera</u>	ıl Case	Information:		
	(A)	Date of	of State Court Conviction:		
	(D)	a			
	(B)	Count	y of State Court Conviction:		
	(C)	Name	of Petitioner's Co-Defendants:		
		-			
	(D)	Date I	Petition Filed in District Court:		
II.	Record	l of Stat	te Court Criminal Trial:		
petition		_	of the state court criminal trial re ounsel must index tab each porti	_	
Peddol	i, penno	1101 5 0	ourser must maex tuo etteri porti	on or phase of the record indicat	ou bolow.
	(a)	Guilt/	Innocence Phase of the Trial Pro	ceedings:	
		(1)	Voir Dire Evamination		Tah #

	(2)	State's Opening Statement	Tab #
	(3)	Petitioner's Opening Statement	Tab #
	(4)	State's Case in Chief	Tab #
	(5)	Petitioner's Case	Tab #
	(6)	State's Closing Argument	Tab #
	(7)	Petitioner's Closing Argument	Tab #
	(8)	Trial Judge's Instructions to the Jury	Tab #
	(9)	Petitioner's Objections to the Instructions	Tab #
	(10)	Jury's Verdict	Tab #
(b)	<u>Senter</u>	ncing Phase of the Trial:	
	(a)	State's Opening Statements to the Jury	Tab #
	(b)	Petitioner's Opening Statements to the Jury	Tab #
	(c)	State's Case	
	(d)	Petitioner's Case	Tab #
	(e)	State's Closing Arguments to the Jury	Tab #
	(f)	Petitioner's Closing Arguments to the Jury	Tab #
	(g)	Trial Court's Instructions to the Jury	Tab #
	(h)	Petitioner's Objections to the Instructions	Tab #
	(i)	Jury's Recommendation	Tab #
	(j)	Sentencing Hearing Before the Trial Judge	Tab #
	(k)	Presentence Investigation Report	Tab #
	(1)	Sentence	Tab #
(c)	<u>Pretria</u>	al proceedings:	
	(1)	Motion(s) to Suppress:	Tab #
			Tab #
			Tab #
	(2)	Hearing(s) on Motion(s) to Suppress:	Tab #
	(-)	(-)(-)(-)	Tab #
			Tab #
	(6)		T. 1. "
	(3)	Trial Court's Rulings on Motion(s):	
			Tab #
			Tab #

III. Petitioner's Direct State Court Appeal

If any portion of the direct state court appeal record or transcript is to be submitted in support of the petition, petitioner's counsel must index tab each portion or phase of the record indicated below:

(a)	Petiti	oner's Appellate Briet
(b)	State	's Appellate Brief
(c)		ellate Court's Dispositive Opinion/Order Tab #
, ,		
V. <u>Petiti</u>	oner's C	Collateral Proceedings:
If any	v nautiau	of a Comm. Nakis on State Helpess musecading record on then swint is to be submitted in
-	-	n of a Coram Nobis or State Habeas proceeding record or transcript is to be submitted in n, petitioner's counsel must index tab each portion or phase of the record indicated below:
ipport of the	c pennoi	if, petitioner's counsel must make tab each portion of phase of the record indicated below.
(a)	Cora	m Nobis/Habeas Corpus Proceeding Dated:
. ,		<u> </u>
	(1)	Petitioner's Petition:
	(2)	State's Response:
	(3)	Was there an evidentiary hearing? YESNO
	(4)	Transcript of evidentiary hearing:
	(5)	Court's Dispositive Order/Opinion:
	(6)	Petitioner's Direct State Court Appeal of this Decision:
		(A) Petitioner's Brief:
		(B) State's Brief:
		(C) Court's Dispositive Order/Opinion:
(b)	<u>Cora</u>	m Nobis/Habeas Corpus Proceeding Dated:
	(1)	
	(1)	Petitioner's Petition:
	(2)	State's Response:
	(3)	· ·
	(4) (5)	Transcript of evidentiary hearing:
	(3)	Court's Dispositive Order/Opinion
	(6)	Petitioner's Direct State Court Appeal of this Decision:
		(A) Petitioner's Brief:
		(B) State's Brief:
		(C) Court's Dispositive Order/Opinion:
(c)	Cora	m Nobis/Habeas Corpus Proceeding Dated:
	(1)	Petitioner's Petition:
	(2)	State's Response Tab #

		(3)(4)(5)	Was there an evidentiary hearing? YES NO Transcript of evidentiary hearing:
		(6)	Petitioner's Direct State Court Appeal of this Decision:
			(A) Petitioner's Brief:
V.	Prior I	Federal I	Habeas Corpus Proceedings:
_	n, petitic	ner's m	of a prior federal habeas corpus record or transcript is to be submitted in support of the ust summarize the decision of the prior federal habeas corpus case, and must index tab each record indicated below:
	(a)	Distric	t Court Case Number:
		(1)	Name of the District Court:
		(2)	Relief Granted (if any):
		(3)	Is the Record of this Proceeding to be Included in this Proceeding?NOYES
		(4)	If appealed, Court of Appeals Case Number:
		(5)	Court of Appeals Citation:
		(6)	Court of Appeals Disposition:
	(b)	<u>Distric</u>	t Court Case Number:
		(1)	Name of the District Court:
		(2)	Relief Granted (if any):

	(3)	Is the Record of this Proceeding to be Included in this Proceeding? NO YES
	(4)	If appealed, Court of Appeals Case Number:
	(5)	Court of Appeals Citation:
	(6)	Court of Appeals Disposition:
(c)	Distri	ict Court Case Number:
	(1)	Name of the District Court:
	(2)	Relief Granted (if any):
	(3)	Is the Record of this Proceeding to be Included in this Proceeding?NOYES
	(4)	If appealed, Court of Appeals Case Number:
	(5)	Court of Appeals Citation:
	(6)	Court of Appeals Disposition:
		Respectfully submitted,

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF ALABAMA DIVISION

		Petitioner,
	Case #	
v.		
		Respondent
		RESPONDENT'S HABEAS CORPUS CHECKLIST
I.	Genera	al Case Information:
	(A)	Date Petition Filed in the District Court:
	()	
	(B)	Date the District Court Ordered the Filing of an Answer:
	(C)	Date Respondent's Answer Filed:
	` /	•
II.	Record	d of State Court Criminal Trial:
onnosit	-	portion of the state court criminal trial record or transcript is to be submitted by the Respondent in
below:	1011 01 1	he petition, respondent's counsel must index tab each portion or phase of the record indicated
	(a)	Guilt/Innocence Phase of the Trial Proceedings:
		(1) Voir Dire Examination
		(2) State's Opening Statement
		(3) Petitioner's Opening Statement
		(4) State's Case in Chief
		(5) Petitioner's Case
		(6) State's Closing Argument

		(7)	Petitioner's Closing Argument	Tab #
		(8)	Trial Judge's Instructions to the Jury	Tab #
		(9)	Petitioner's Objections to the Instructions	Tab #
		(10)	Jury's Verdict	Tab #
	(b)	Senter	ncing Phase of the Trial:	
		(1)	State's Opening Statements to the Jury	Tab #
		(2)	Petitioner's Opening Statements to the Jury	Tab #
		(3)	State's Case	
		(4)	Petitioner's Case	
		(5)	State's Closing Arguments to the Jury	
		(6)	Petitioner's Closing Arguments to the Jury	Tab #
		(7)	Trial Court's Instructions to the Jury	Tab #
		(8)	Petitioner's Objections to the Instructions	Tab #
		(9)	Jury's Recommendation	
		(10)	Sentencing Hearing Before the Trial Judge	Tab #
		(11)	Presentence Investigation Report	Tab #
		(12)	Sentence	Tab #
	(c)	Pretria	al proceedings:	
		(1)	Motion(s) to Suppress:	Tab #
				Tab #
				Tab #
		(2)	Hearing(s) on Motion(s) to Suppress:	Tab #
		(-)		Tab #
				Tab #
		(3)	Trial Court's Rulings on Motion(s):	
				Tab #
				Tab #
III.	Petitio	ner's D	irect State Court Appeal	
petition	•	-	of the direct state court appeal record or transcript is to be subnounsel must index tab each portion or phase of the record indi	* *
	(a)	Petitio	oner's Appellate Brief	Tab #
	(b)	State's	s Appellate Brief	Tab #
	(c)	Appel	late Court's Dispositive Opinion/Order	Tab #

IV. <u>Petitioner's Collateral Proceedings:</u>

If any portion of a Coram Nobis or State Habeas proceeding record or transcript is to be submitted in opposition of the petition, respondent's counsel must index tab each portion or phase of the record indicated below:

(a)	(a) <u>Coram Nobis/Habeas Corpus Proceeding Dated:</u>				
	(1)	Petitioner's Petition:			
	(2)	State's Response:			
	(3)	Was there an evidentiary hearing? YESNO			
	(4)	Transcript of evidentiary hearing:			
	(5) Court's Dispositive Order/Opinion:				
	(6)	Petitioner's Direct State Court Appeal of this Decision:			
		(A) Petitioner's Brief:			
		(B) State's Brief:			
		(C) Court's Dispositive Order/Opinion:			
(b)	Coran	m Nobis/Habeas Corpus Proceeding Dated:			
	(1)	Petitioner's Petition:			
	(2)	State's Response:			
	(3)	Was there an evidentiary hearing? YES NO			
	(4)	Transcript of evidentiary hearing:			
	(5)	Court's Dispositive Order/Opinion:			
	(6)	Petitioner's Direct State Court Appeal of this Decision:			
		(A) Petitioner's Brief:			
		(B) State's Brief:			
		(C) Court's Dispositive Order/Opinion:			
(c)	Coran	n Nobis/Habeas Corpus Proceeding Dated:			
	(1)	Petitioner's Petition:			
	(2)	State's Response:			
	(3)	Was there an evidentiary hearing? YESNO			
	(4)	Transcript of evidentiary hearing:			
	(5)	Court's Dispositive Order/Opinion:			
	(6)	Petitioner's Direct State Court Appeal of this Decision:			

			(A) Petitioner's Brief: Tab # (B) State's Brief: Tab # (C) Court's Dispositive Order/Opinion: Tab #
V.	<u>Prior</u>	Federal I	Habeas Corpus Proceedings:
	on, respo	ondent's c	of a prior federal habeas corpus record or transcript is to be submitted in opposition of the counsel must summarize the prior federal habeas corpus proceedings, and must index tab of the record indicated below:
	(a)	<u>Distric</u>	t Court Case Number:
		(1)	Name of the District Court:
		(2)	Relief Granted (if any):
		(3)	Is the Record of this Proceeding to be Included in this Proceeding?NOYES
		(4)	If appealed, Court of Appeals Case Number:
		(5)	Court of Appeals Citation:
		(6)	Court of Appeals Disposition:
	(b)	<u>Distric</u>	t Court Case Number:
		(1)	Name of the District Court:
		(2)	Relief Granted (if any):
		(3)	Is the Record of this Proceeding to be Included in this Proceeding? NOYES
		(4)	If appealed, Court of Appeals Case Number:
		(5)	Court of Appeals Citation:

6)	Court of Appeals Disposition:
<u> Distric</u>	ct Court Case Number:
1)	Name of the District Court:
2)	Relief Granted (if any):
3)	Is the Record of this Proceeding to be Included in this Proceeding?
	NO YES Tab #
4)	If appealed, Court of Appeals Case Number:
5)	Court of Appeals Citation:
5)	Court of Appeals Disposition:
	Respectfully submitted,

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF ALABAMA DIVISION

			Petitioner,	
			Case #	
v.				
			Respondent	
		Α	AMICUS CURIAE/INTERVENER'S HABEAS CORPUS	S CHECKLIST
		_		
I.	Gener	al Case	Information:	
	(A)	Date	Petition Filed in the District Court:	
	(B)	Date	the District Court Ordered the Filing of an Answer:	
	(C)	Doto	Desmandant's Anayyan Eiladi	
	(C)	Date	Respondent's Answer Filed:	
II.	Recor	rd of Sta	ate Court Criminal Trial:	
11.	recor	d OI Du	Court Crimina Triai.	
	If any	portion	n of the state court criminal trial record or transcript is to be	submitted by the Respondent in
opposite below:	tion of	the peti	tion, respondent's counsel must index tab each portion or p	hase of the record indicated
	(a)	<u>Guilt</u>	/Innocence Phase of the Trial Proceedings:	
		(1)	Voir Dire Examination	Tab #
		(2)	State's Opening Statement	Tab #
		(3)	Petitioner's Opening Statement	Tab #
		(4)	State's Case in Chief	Tab #
		(5)	Petitioner's Case	Tab #
		(6)	State's Closing Argument	Tab #
		(7)	Petitioner's Closing Argument	
		(8)	Trial Judge's Instructions to the Jury	Tab #

		(9)	Petitioner's Objections to the Instructions	Tab #		
		(10)	Jury's Verdict	Tab #		
	(b)	Sentencing Phase of the Trial:				
		(1)	State's Opening Statements to the Jury	Tob #		
		(2)	Petitioner's Opening Statements to the Jury			
		(3)	State's Case			
		(4)	Petitioner's Case			
		(5)	State's Closing Arguments to the Jury			
		(6)	Petitioner's Closing Arguments to the Jury			
		(7)	Trial Court's Instructions to the Jury			
		(8)	Petitioner's Objections to the Instructions			
		(9)	Jury's Recommendation			
		(10)	Sentencing Hearing Before the Trial Judge			
		(11)	Presentence Investigation Report			
		(11) (12)	Sentence			
		(12)	Schience	140 H		
	(c)	Pretrial proceedings:				
		(1)	Motion(s) to Suppress:	Tab #		
		, ,	• • • • • • • • • • • • • • • • • • • •	Tab #		
				Tab #		
		(2)	Hearing(s) on Motion(s) to Suppress:	Tab #		
				Tab #		
				Tab #		
		(3)	Trial Court's Rulings on Motion(s):	Tab #		
				Tab #		
				Tab #		
III.	Petition	itioner's Direct State Court Appeal				
petition	If any portion of the direct state court appeal record or transcript is to be submitted in opposition of the petition, respondent's counsel must index tab each portion or phase of the record indicated below:					
	(a)	Petition	ner's Appellate Brief	Tab #		
	(b)	State's	Appellate Brief	Tab #		
	(c)	Appella	ate Court's Dispositive Opinion/Order	Tab #		

If any portion of a Coram Nobis or State Habeas proceeding record or transcript is to be submitted in opposition of the petition, respondent's counsel must index tab each portion or phase of the record indicated below:

(a)	Cora	Coram Nobis/Habeas Corpus Proceeding Dated:					
	(1)	Petitio	oner's Petition:	Tab #			
	(2)	State'	's Response:	Tab #			
	(3)	Was t	here an evidentiary hearing? YES	NO			
	(4)	Trans	cript of evidentiary hearing:	Tab #			
	(5)						
	(6)	Petitioner's Direct State Court Appeal of this Decision:					
		(A)	Petitioner's Brief:	Tab #			
		(B)	State's Brief:	Tab #			
		(C)	Court's Dispositive Order/Opinion:	Tab #			
(b)	Cora	Coram Nobis/Habeas Corpus Proceeding Dated:					
	(1)	Petitio	oner's Petition:	Tab #			
	(2)		s Response:				
	(3)		here an evidentiary hearing?YES				
	(4)		cript of evidentiary hearing:				
	(5)	Court	's Dispositive Order/Opinion:	Tab #			
	(6)	Petitio	oner's Direct State Court Appeal of this Decision:				
		(A)	Petitioner's Brief:	Tab #			
		(B)	State's Brief:	Tab #			
		(C)	Court's Dispositive Order/Opinion:	Tab #			
(c)	Coram Nobis/Habeas Corpus Proceeding Dated:						
	(1)	Petitio	oner's Petition:	Tab #			
	(2)	State's Response:					
	(3)	Was there an evidentiary hearing? YESNO					
	(4)	Transcript of evidentiary hearing:					
	(5)	Court's Dispositive Order/Opinion:					
	(6)	Petitioner's Direct State Court Appeal of this Decision:					
		(A)	Petitioner's Brief:	Tab #			
		(B)	State's Brief:	Tab #			
		(C)	Court's Dispositive Order/Opinion:				

V. <u>Prior Federal Habeas Corpus Proceedings:</u>

If any portion of a prior federal habeas corpus record or transcript is to be submitted in opposition of the petition, respondent's counsel must summarize the prior federal habeas corpus proceedings, and must index tab each portion or phase of the record indicated below:

(a)	<u>Distric</u>	t Court Case Number:
	(1)	Name of the District Court:
	(2)	Relief Granted (if any):
	(3)	Is the Record of this Proceeding to be Included in this Proceeding? NO YES
	(4)	If appealed, Court of Appeals Case Number:
	(5)	Court of Appeals Citation:
	(6)	Court of Appeals Disposition:
(b)	<u>Distric</u>	t Court Case Number:
	(1)	Name of the District Court:
	(2)	Relief Granted (if any):
	(3)	Is the Record of this Proceeding to be Included in this Proceeding? NO YES
	(4)	If appealed, Court of Appeals Case Number:
	(5)	Court of Appeals Citation:
	(6)	Court of Appeals Disposition:

(c)	Distric	t Court Case Number:
	(1)	Name of the District Court:
	(2)	Relief Granted (if any):
	(3)	Is the Record of this Proceeding to be Included in this Proceeding?
		NO YES Tab #
	(4)	If appealed, Court of Appeals Case Number:
	(5)	Court of Appeals Citation:
	(6)	Court of Appeals Disposition:
		Despectfully submitted
		Respectfully submitted,