

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS

IN RE: PLAN FOR THE DISTRIBUTION OF CASES

AMENDED ORDER

To maintain an equitable distribution of cases among the United States District Judges and the United States Magistrate Judges in the Western District of Arkansas, the following plan for the distribution of criminal, civil and miscellaneous cases is hereby adopted.

1. **New Filings** - All cases filed and/or reopened after the effective date of this Order will be assigned in the following manner, in accordance with Local Rule 40.1, Rules of the United States District Courts for the Eastern and Western Districts of Arkansas:

EL DORADO DIVISION:	Criminal:	Judge Susan Owens Hickey (50%) Judge Harry F. Barnes (50%)
	Civil:	Judge Susan Owens Hickey (100%)
	Civil Miscellaneous:	Judge Susan Owens Hickey (100%)
FORT SMITH DIVISION:	Criminal:	Judge P. K. Holmes, III (100%)
	Civil:	Judge P. K. Holmes, III (85%) Judge Timothy L. Brooks (15%)
	Civil Miscellaneous:	Judge P. K. Holmes, III (100%)
HARRISON DIVISION:	Criminal:	Judge P. K. Holmes, III (100%)
	Civil:	Judge Timothy L. Brooks (50%) Judge Jimm Larry Hendren (50%)
	Civil Miscellaneous:	Judge Timothy L. Brooks (100%)

TEXARKANA DIVISION:	Criminal:	Judge Susan Owens Hickey (50%) Judge Harry F. Barnes (50%)
	Civil:	Judge Susan Owens Hickey (85%) Judge P. K. Holmes, III (15%)
	Civil Miscellaneous:	Judge Susan Owens Hickey (100%)
FAYETTEVILLE DIVISION:	Criminal:	Judge Timothy L. Brooks (85%) Judge P. K. Holmes, III (15%)
	Civil:	Judge Timothy L. Brooks (55%) Judge P. K. Holmes, III (20%) Judge Jimm Larry Hendren (25%)
	Civil Miscellaneous:	Judge Timothy L. Brooks (100%)
HOT SPRINGS DIVISION:	Criminal:	Judge Susan Owens Hickey (100%)
	Civil:	Judge Robert T. Dawson (100%)
	Civil Miscellaneous:	Judge Susan Owens Hickey (100%)

2. RECUSALS - Cases in which the District Judge to whom the case is initially assigned recuses will be reassigned in the following manner. If the District Judge receiving the case also recuses, the Chief Judge will be notified for assignment of the case, pursuant to 18 U.S.C. § 137.

EL DORADO DIVISION:	(SOH Recusals)	Judge Robert T. Dawson
FORT SMITH DIVISION:	(PKH Recusals) (TLB Recusals)	Judge Timothy L. Brooks Judge P. K. Holmes, III
HARRISON DIVISION:	(TLB Recusals) (JLH Recusals)	Judge Jimm Larry Hendren Judge Timothy L. Brooks
TEXARKANA DIVISION:	(SOH Recusals) (PKH Recusals)	Judge P. K. Holmes, III Judge Susan Owens Hickey
FAYETTEVILLE DIVISION:	(TLB Recusals) (PKH Recusals) (JLH Recusals)	Judge P. K. Holmes, III Judge Timothy L. Brooks Judge Timothy L. Brooks

HOT SPRINGS DIVISION: **(SOH Recusals)** Judge P. K. Holmes, III
 (RTD Recusals) Judge Susan O. Hickey

3. Sealed Criminal Miscellaneous Cases - The District or Magistrate Judge signing the application, warrant, and/or order initiating the case will be assigned as the presiding judge.

4. Cases Assigned or Referred to Magistrate Judges - In accordance with 28 U.S.C. § 636; Rules 5 and 5.1 of the Federal Rules of Criminal Procedure; Local Rule 72.1, Rules of the United States District Courts for the Eastern and Western Districts of Arkansas; and General Orders of the Western District of Arkansas, cases filed and/or reopened after the effective date of this Order will be assigned or referred to the U.S. Magistrate Judges of the Western District of Arkansas in the following manner:

EL DORADO DIVISION: Magistrate Judge Barry A. Bryant

FORT SMITH DIVISION: Magistrate Judge James R. Marschewski

HARRISON DIVISION: Magistrate Judge James R. Marschewski

TEXARKANA DIVISION: Magistrate Judge Barry A. Bryant

FAYETTEVILLE DIVISION: Magistrate Judge Erin L. Setser

HOT SPRINGS DIVISION: Magistrate Judge Barry A. Bryant

5. Direct Assignment of Social Security Appeal Cases - All cases filed pursuant to § 205(g) of the Social Security Act, 42 U.S.C. § 406(g), for benefits under Titles II, XVI and XVII of the Act will be assigned to a Magistrate Judge, as the Presiding Judge, at the time of filing, in accordance with paragraph 4 of this Order.

6. Caseload Management by Magistrate Judges - Notwithstanding the provisions of the foregoing paragraphs 4 and 5, the Magistrate Judges are authorized to make exceptions to the foregoing assignment/referral plan if and when needed to ensure there is an even and equitable

distribution of the cases and workload among them.

7. This plan supersedes the Order entered January 2, 2013, and is subject to periodic review and adjustment by the United States District Judges of the Western District of Arkansas in order to maintain an equitable distribution of the cases and workload of the Western District of Arkansas.

Dated this 12th day of March 2014.

P. K. Holmes us

P. K. HOLMES, III
CHIEF UNITED STATES DISTRICT JUDGE

US DISTRICT COURT
WESTERN DIST ARKANSAS
FILED

MAR 12 2014

CHRIS R. JOHNSON, Clerk

By

Deputy Clerk