

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS

SEP - 2 2004

Michael M. Milby, Clerk  
By Deputy Clerk *M. Yessierli*

IN RE: §  
ADOPTION OF AMENDMENT TO § GENERAL ORDER NO. 2004-10  
LOCAL RULE 5 §

ORDER

The Court earlier proposed amending Local Rule 5 with the adoption of new Local Rule 5.1. The proposed amendment having now been approved by the Judicial Council of the Fifth Circuit, through its Rules Committee, the Court adopts the amendment of Local Rule 5 superseding existing Local Rule 5.1 with new Local Rule 5.1; abrogating Local Rule 5.2; and renumbering Local Rules 5.3 through 5.6 as 5.2 through 5.5, as follows:

**LR5. FILING REQUIREMENTS**

~~LR 5.1 **Place of Filing.** Papers are filed by delivery of the original to the clerk, not to the judge. [Superseded].~~

LR 5.1 **Electronic Filing.** The Court will accept for filing documents submitted, signed or verified by electronic means that comply with the procedures established by the Court. The notice of electronic filing that is automatically generated by the Court's electronic filing system constitutes service of the document on those registered as filing users of the system.

~~LR 5.2 **Original and Copy.** An original and one copy of each document to be filed in a case must be provided to the clerk at the time of filing. [Abrogated].~~

LR 5.3 **2 Related Litigation Policy.** The parties must advise the Court of related current or recent litigation and of directly affected non-parties.

LR 5.4 **3 Certificate of Service.** Papers must have at the end a certificate reflecting how and when service has been made or why service is not required. Federal Rule of Civil Procedure 5 (b).

LR 5.5 **4 Discovery Not Filed.** Depositions, interrogatories, answers to interrogatories, requests for admission, production, or inspection, responses to those requests, and other discovery material shall not be filed with the clerk.

**LR 5.6 5 Service of Pleadings and Other Papers.** All motions must be served on all parties. ~~and contain a certificate of service.~~ Motions for default judgment must be served on the defendant-respondent by certified mail (return receipt requested). [Deleted as redundant to requirement stated in LR 5.3].

The effective date of this amendment is September 7, 2004.

Signed at Corpus Christi, Texas this 2<sup>nd</sup> day of Sept, 2004.

  
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HAYDEN W. HEAD, JR.  
CHIEF UNITED STATES DISTRICT JUDGE