

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

**STANDING ORDER FOR CRIMINAL CASES BEFORE
DISTRICT JUDGE ARACELI MARTÍNEZ-OLGUÍN**

1. CONFORMITY TO RULES

Parties and counsel shall follow the Federal Rules of Criminal Procedure, the Criminal Local Rules, and the General Orders of the Northern District of California, except as superseded by this Court's standing orders.

2. COMMUNICATION WITH THE COURT

Counsel shall not attempt to contact Judge Martínez-Olguín or her chambers staff by telephone, email, or any other ex parte means, but may contact her Courtroom Deputy at amocrd@cand.uscourts.gov regarding scheduling or other appropriate matters.

3. COURTESY COPIES

Paper courtesy copies shall not be submitted unless the Court requests them.

The Court also does not require electronic copies of proposed orders. If the Court requires electronic copies of a filing, it will specifically request it from the parties. **Parties should not otherwise email amocrd@cand.uscourts.gov with electronic copies of filings.**

4. CHANGE OF PLEA

If a plea is being entered pursuant to a plea agreement, government counsel shall email a copy of the plea agreement to the Judge Martínez-Olguín's Courtroom Deputy at amocrd@cand.uscourts.gov by 2:00 p.m. the Monday before the plea is to be entered. If there is to be an open plea, counsel for the defendant shall notify the Court by 2:00 pm the Monday before the open plea is to be entered.

5. EXCLUSION OF WITNESSES

Witnesses shall be excluded from the courtroom until their testimony is completed. Parties are ordered to admonish witnesses of the Court's order. Failure to comply may result in sanctions, including without limitation the striking of the witness's entire testimony.

6. JOINT PRETRIAL CONFERENCE STATEMENTS

Counsel shall comply with Local Rule 17.1-1(b) and file a joint pretrial conference statement *not less than seven (7)* days prior to the pretrial conference addressing all *fifteen (15)* issues identified therein. Counsel shall meet and confer in advance on proposed jury instructions, voir dire questions, exhibits, and stipulations. Counsel should be prepared to discuss with the Court any anticipated evidentiary objections and any means for shortening and simplifying the trial. Counsel should submit an agreed upon set of additional requested voir dire questions to be posed by the Court. Any voir dire questions on which counsel cannot agree shall be submitted separately. The government shall serve and file: (1) a proposed jury verdict form; (2) a list of all witnesses who may be called, together with a brief summary of the testimony of each; (3) an exhibit list; and (4) a trial memorandum briefly stating the legal bases for the charges and the anticipated evidence, and addressing any evidentiary, procedural or other anticipated legal issues. To the extent consistent with the defendant's right to an effective defense, defense counsel shall also serve and file items (2) through (4) above. The parties shall also meet and confer and file a Joint Statement of the case to be read during voir dire. Any disputes will be resolved at the pre-trial conference.

7. JURY INSTRUCTIONS

Jury instructions §1.1 through §1.11 and §3.1 through §3.10 from the most recent Manual of Model Jury Instructions for the Ninth Circuit will be given absent objection. Jury instructions §1.12 and §1.13 may be given if necessary. Counsel shall jointly submit one set of additional proposed jury instructions, ordered in a logical sequence, together with a table of contents, using the Ninth Circuit Manual where possible, or Devitt and Blackmar, or CALJIC, **not less than seven (7) days** prior to the pretrial conference. Any instructions on which counsel cannot agree shall be marked as “disputed,” and shall be included within the jointly submitted instructions and accompanying table of contents, in the place where the party proposing the instruction believes it should be given. Argument and authority for and against each disputed instruction shall be included as part of the joint submission, on separate sheets directly following the disputed instruction.

8. OPENING STATEMENTS

Parties must meet and confer to exchange any visuals, graphics or exhibits to be used in opening statements. Unless otherwise agreed, the exchange must occur no later than the close of business on the Wednesday before trial. Any objections not resolved must be filed in writing by the Thursday before trial. The parties shall be available by telephone on the Friday before trial to discuss the issues raised with the Court.

9. REQUESTS FOR TRANSCRIPTS

If transcripts will be requested during or immediately after the trial, arrangements must be made with the Court Reporter Coordinator (Telephone No. 510-637-3534) at least one week prior to the commencement of the trial.

10. INTERPRETERS.

Counsel must notify the Court at least 30 days in advance of trial if any witness requires an interpreter and there is no certified court interpreter available to translate in the necessary language(s).

IT IS SO ORDERED.

Dated: March 31, 2023



ARACELI MARTÍNEZ-OLGUÍN
United States District Judge