

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
MISC. NO.: 3:25 MC 160
IN RE: ALLOCATION OF CHARLOTTE DIVISION CASES

ORDER

The following case assignment allocations will be applied in the Charlotte Division and supersede all other prior orders as they relate to the Charlotte Division. These case assignment allocations are effective **January 1, 2026**.

1. All criminal cases filed in the Charlotte Division shall be randomly assigned per the following allocation.

Judge Bell shall be assigned 31%

Judge Cogburn shall be assigned 23%

Judge Orso shall be assigned 23%

Judge Rodriguez shall be assigned 23%

- a) Any criminal case in which Judge Bell has a conflict shall first be reassigned to Judge Cogburn, then to Judge Orso, then to Judge Rodriguez, then to Chief Judge Reidinger.
- b) Any criminal case in which Judge Cogburn has a conflict shall first be reassigned to Judge Bell, then to Judge Rodriguez, then to Judge Orso, then to Chief Judge Reidinger.
- c) Any criminal case in which Judge Orso has a conflict shall first be reassigned to Judge Rodriguez, then to Judge Bell, then to Judge Cogburn, then to Chief Judge Reidinger.
- d) Any criminal case in which Judge Rodriguez has a conflict shall first be reassigned to Judge Orso, then to Judge Cogburn, then to Judge Bell, then to Chief Judge Reidinger.
- e) Any criminal case filed in any division of this Court may be assigned by the Chief Judge to a senior judge of this Court with consent of the senior judge.

2. Any violation proceeding or supplemental filing in criminal cases in which Judge Reidinger, Judge Conrad or Judge Voorhees was the presiding Judge shall be reassigned to Judge Orso and any violation proceeding or supplemental filing in criminal cases where Judge Potter, Judge McKnight, Judge Mullen or Judge Whitney was the presiding judge shall be reassigned to Judge Rodriguez.
3. Any criminal case that is remanded for further proceedings pursuant to a mandate of the U.S. Court of Appeals for the Fourth Circuit in which Judge Reidinger, Judge Conrad or Judge Voorhees was the presiding Judge shall be reassigned to Judge Orso and any criminal case that is remanded for

further proceedings pursuant to a mandate of the U.S Court of Appeals for the Fourth Circuit violation proceeding or supplemental filing in criminal cases where Judge Potter, Judge McKnight, Judge Mullen or Judge Whitney was the presiding judge shall be reassigned to Judge Rodriguez.

4. All Civil cases filed in the Charlotte Division, except for death penalty cases, prisoner cases, social security cases and asbestos cases which are the subject of separate orders or other provisions herein, shall be randomly assigned per the following allocation.

Judge Bell shall be assigned 23%

Judge Cogburn shall be assigned 21%

Judge Orso shall be assigned 23%

Judge Rodriguez shall be assigned 23%

Judge Whitney shall be assigned 10%

- a) Any civil case in which Judge Bell has a conflict shall first be reassigned to Judge Cogburn, then to Judge Orso, then to Judge Rodriguez, then to Chief Judge Reidinger.
- b) Any civil case in which Judge Cogburn has a conflict shall first be reassigned to Judge Bell, then to Judge Rodriguez, then to Judge Orso, then to Chief Judge Reidinger.
- c) Any civil case in which Judge Orso has a conflict shall first be reassigned to Judge Rodriguez, then to Judge Bell, then to Judge Cogburn, then to Chief Judge Reidinger.
- d) Any civil case in which Judge Rodriguez has a conflict shall first be reassigned to Judge Orso, then to Judge Cogburn, then to Judge Bell, then to Chief Judge Reidinger.
- e) Any civil case in which Judge Whitney has a conflict shall first be reassigned to Judge Bell, then to Judge Cogburn, then to Judge Orso, then to Judge Rodriguez, then to Chief Judge Reidinger.
- f) Any civil case filed in any division of this Court may be assigned by the Chief Judge to a senior judge of this Court with consent of the senior judge.

5. Cases in which the plaintiff is a former criminal defendant, and the case relates to their conviction, including but not limited to claims pursuant to 28 U.S.C. §§ 2255, 2241, 1651, audita querella or corum nobis, but not those identified below in Paragraph 6) shall be assigned to the judge who presided over the underlying criminal case.

- a) If the presiding judge was a visiting judge, the action shall be assigned to that visiting judge. If the visiting judge requests that the motion be reassigned or is otherwise unavailable, it shall be reassigned according to the district court draw for criminal cases, paragraph 1, above.

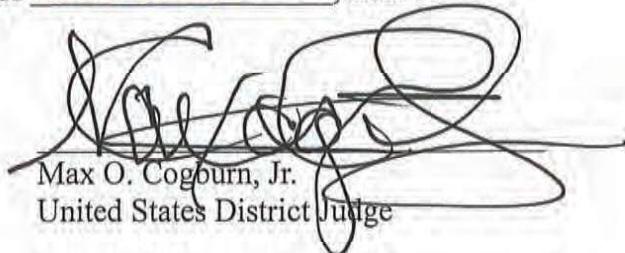
- b) If the presiding judge was Judge Voorhees, Judge Conrad, or Judge Reidinger, it shall be reassigned to Judge Orso. If the presiding Judge was Judge Potter, McKnight, Mullen or Whiteny, it shall be reassigned to Judge Rodriguez.
- 6. Any civil case that is remanded for further proceedings pursuant to a mandate of the U.S. Court of Appeals for the Fourth Circuit in which Judge McKnight, Judge Potter, Judge Conrad, Judge Voorhees or Judge Mullen was the presiding judge shall be reassigned according to the district court draw for civil cases, paragraph 4, above.
- 7. All prisoner cases filed pursuant to 28 U.S.C. § 2254 (non-death penalty cases) are addressed by a separate allocation order.
- 8. Allocation of state habeas death penalty cases, pro se prisoner cases filed pursuant to 28 U.S.C. § 1983, asbestos cases and social security cases are addressed by separate orders.
- 9. Non-consent civil cases, except for social security cases, shall be referred to Charlotte Division magistrate judges by docket number for all pretrial proceedings and in accordance with the standing Order of reference issued by the district judge assigned to the case. Consent cases will be handled by Charlotte Division magistrate judges for all purposes and in all respects. The general division of cases between magistrate judges shall be according to docket number with odd-numbered cases being assigned to Magistrate Judge Keesler and even-numbered cases being assigned to Unnamed Magistrate Judge.
- 10. Pretrial matters in criminal cases are referred equally to Charlotte Division magistrate judges. These referrals are subject to modification or withdrawal by order of any affected district judge.
- 11. When a case (criminal or civil) is filed that is related to a previously filed case, such new case shall be assigned to the same judge to whom the earlier case was assigned.
- 12. Sole authority to change a random assignment resides with the Chief Judge, upon consultation with any other judge directly affected. The Chief Judge may designate another judge to resolve immediate matters, such as motions to stay a magistrate judge's release order, if the randomly selected district judge is unavailable.
- 13. The Clerk shall refer any questions about proper assignment to the Chief Judge.

The Clerk is directed to serve copies of this Order to all district court judges, all magistrate judges, the Chief United States Probation Officer, the United States Attorney, the Federal Public Defender, the United States Marshal, all deputy clerks and all court reporters.

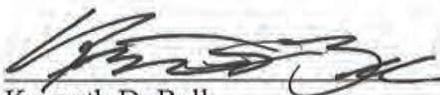
IT IS SO ORDERED, this the 15th day of DECEMBER, 2025.



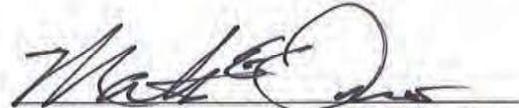
Martin Reidinger
Chief United States District Judge



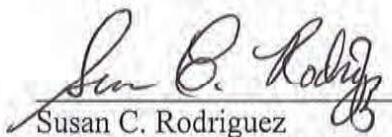
Max O. Cogburn, Jr.
United States District Judge



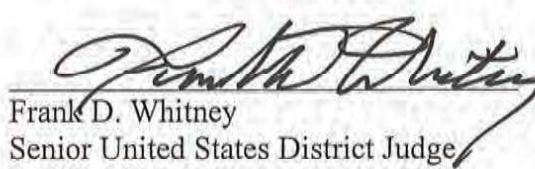
Kenneth D. Bell
United States District Judge



Matthew E. Orso
United States District Judge



Susan C. Rodriguez
United States District Judge



Frank D. Whitney
Senior United States District Judge



Graham C. Mullen
Senior United States District Judge



Richard L. Voorhees
Senior United States District Judge