



United States District Court

Western District of North Carolina

Clerk's Best Practices CLE

April 25, 2025

Welcome & Introduction of our Panel

Katherine Simon, Clerk of Court

Tammy Hightower, Chief Deputy Clerk

Missy Frisch, Asheville Operations Supervisor

Kelly Kromer Boudreaux, Career Law Clerk to Magistrate Judge Metcalf

Kristen Young, Operations Training Supervisor

Agenda



General Information & Overview of NCWD website and resources.



Magistrate Court, District Court and Jury Overview.



Clerk's best practices and helpful tips to avoid common ECF filing errors.



Chamber's perspective on common errors that have the greatest impact on the Judges & their staff.



Demonstration – Let's test your knowledge!

UNITED STATES DISTRICT COURT

Western District of North Carolina

Katherine H. Simon, Clerk of Court
Tammy Hightower, Chief Deputy

Melissa Frisch, Operations Supervisor- Asheville Division
Emery Ferdinand, Operations Supervisor- Charlotte Division
Kristen Young, Operations Training Supervisor

Asheville

100 Otis Street, Room 309
Asheville, NC 28801
828-771-7200

Charlotte

401 West Trade St., Room 210
Charlotte, NC 28202
704-350-7400

Statesville

200 West Broad Street, Room 304
Statesville, NC 28677
704-883-1000

Charlotte Clerk's Office Staff:

Candace Cochran, District Courtroom Deputy
Meg Kirk, District Courtroom Deputy (Statesville)
Montonia Parker, District Courtroom Deputy
Angela Smith, District Courtroom Deputy
Michelle Anderton, Magistrate Courtroom Deputy
Brittany Lynch, Magistrate Courtroom Deputy
Alexandria Dayvault, Case Administrator
Tierra Johnson, Case Administrator
Leeland Pitt, Case Administrator
Cindy Solorzano, Case Administrator

Asheville Clerk's Office Staff:

Hailey Shade, District Courtroom Deputy
Sarah McCauley, Magistrate Courtroom Deputy
Stephanie Cardona, Case Administrator
Shannon Mackler, Case Administrator/Jury Clerk
Paige Salsman, Case Administrator

Location of Local Rules & ECF Administrative Procedures

The screenshot shows the website's navigation bar with the following tabs: Home, Court Info (highlighted with a black border), Judges' Info, Attorneys, Jurors, and Filing Without an Attorney. Below the navigation bar, the breadcrumb trail reads: Home » Court Info » Local Rules and Orders. The left sidebar contains a menu with the following items: Local Rules and Orders (highlighted), Local Rules (underlined), Local Patent Rules, General Orders, ECF Administrative Procedures (underlined), Court Fees, Court Holidays, and Court Locations. The main content area displays the title 'Local Rules' and the text 'Local Rules (effective 12/01/2022)' and 'Local Rules of the US District Court for the Western District of North Carolina (Effective December 1, 2022)'. Below this, there are links for 'Bill of Costs Handbook' and 'Bill of Costs Handbook (February 10, 2003)'.

Home » Court Info » Local Rules and Orders

Local Rules

Local Rules (effective 12/01/2022)

Local Rules of the US District Court for the Western District of North Carolina (Effective December 1, 2022)

Bill of Costs Handbook

Bill of Costs Handbook (February 10, 2003)

These can be found on our website www.ncwd.uscourts.gov under the Court Info tab.

Location of General Orders

These can be found on our website www.ncwd.uscourts.gov under the Court Info tab



Location of Judges' Orders

These can be found on our website www.ncwd.uscourts.gov under the Judges' Info tab

The screenshot displays the website's navigation bar with the following tabs: Home, Court Info, **Judges' Info** (highlighted), Attorneys, Jurors, Filing Without an Attorney, Case Info, Forms, and Programs & Services. Below the navigation bar, the breadcrumb trail reads "Home » Judges' Info". The main heading is "Judges Orders". The left sidebar contains the following categories: Article III Judges (listing Chief Judge Martin Reidinger, Judge Frank D. Whitney, Judge Kenneth D. Bell, Judge Max O. Cogburn Jr, Senior Judge Graham C. Mullen, and Senior Judge Richard L. Voorhees), Magistrate Judges (listing Judge W. Carleton Metcalf, Judge David C. Keesler, and Judge Susan C. Rodriguez), Bankruptcy Judges (listing Judge Laura T. Beyer, Judge Craig Whitley, and Judge George Hodges), Court Reporters (listing Deborah Cohen-Rojas, Cheryl Nuccio, Jillian Turner, Rebecca Maxcy, and Michelle McGirr), **Judges Orders** (highlighted), and Judges Terms Calendar. The main content area lists the following sections: Judge Bell Orders (Pretrial Order and Case Management Plan, Pretrial Order and Case Management Plan), Standing Arraignment Order (Standing Arraignment Order), Standing Order Governing Criminal Cases (Standing Order Governing Criminal Cases), Standing Order Governing Jury Selection and Instruction in Civil Cases (Standing Order Governing Jury Selection and Instruction in Civil Cases), Standing Order Requiring an Initial Settlement Conference in Civil Cases (Standing Order Requiring an Initial Settlement Conference in Civil Cases), Judge Cogburn Orders (Pretrial Order and Case Management Plan, Pretrial Order and Case Management Plan (all divisions)), Judge Keesler Orders (Pretrial Order and Case Management Plan, Pretrial Order and Case Management Plan), Judge Metcalf Orders (Pretrial Order and Case Management Plan, Pretrial Order and Case Management Plan), Judge Mullen Orders (Pretrial Order and Case Management Plan, Pretrial Order and Case Management Plan), and Judge Reidinger Orders (Asbestos Litigation Pretrial Order and Case Management Plan, Asbestos Litigation Pretrial Order and Case Management Plan).

PRO TIP!
These Standing
Orders Contain
Judge's
Preferences...

Good Reading!

Location of Judge and Court Reporter Contacts

On our website www.ncwd.uscourts.gov under the Judges' Info tab.

[Home](#) [Court Info](#) [Judges' Info](#)

Article III Judges

Chief Judge Martin Reidinger
Judge Frank D. Whitney
Judge Kenneth D. Bell
Judge Max O. Cogburn Jr
Judge Robert J. Conrad
Senior Judge Graham C. Mullen
Senior Judge Richard L. Voorhees

Magistrate Judges

Judge W. Carleton Metcalf
Judge David C. Kessler
Judge Susan C. Rodriguez

Bankruptcy Judges

Judge Laura T. Beyer
Judge Craig Whitley
Judge George Hodges

Court Reporters

Deborah Cohen-Rojas
Cheryl Nuccio
Jillian Turner
Rebecca Maxcy
Michelle McGirr

Cheryl Nuccio

E-mail: cheryl_nuccio@ncwd.uscourts.gov
Phone: 704-350-7494

Room 4025
401 West Trade Street
Charlotte, NC 28202

Deborah Cohen-Rojas

E-mail: deborah_cohenrojas@ncwd.uscourts.gov
Phone: 704-350-7497

Room 5205
401 West Trade Street
Charlotte, NC 28202

Rebecca Maxcy

E-mail: Rebecca_Maxcy@ncwd.uscourts.gov
Phone: 704-350-7493

Room 8019
401 West Trade Street
Charlotte, NC 28202

Jillian Turner

E-mail: jill_turner@ncwd.uscourts.gov
Phone: 704-350-7495

Room 5027
401 West Trade Street
Charlotte, NC 28202

Michelle McGirr

E-mail: Michelle_McGirr@ncwd.uscourts.gov
Phone: 828-771-7217

Room 309
100 Otis Street
Asheville, NC 28801

Location of (New) Docketing Tips

These can be found on our website www.ncwd.uscourts.gov under Attorney Insider Insights. If you have a topic you would like to see added, please let us know!

UNITED STATES DISTRICT COURT
Western District of North Carolina
Honorable Martin Reidinger, Chief Judge • Katherine Hord Simon, Clerk of Court

Text Size: - A +

Home Court Info Judges' Info Attorneys Jurors Filing Without an Attorney Case Info Forms Programs & Services

Case Locator (PACER) »
E-Filing (CM/ECF) »
E-Juror »
Other 4th Circuit Courts »

Welcome to the United States District Court for the Western District of North Carolina. We have offices located in Asheville, Charlotte, and Statesville.
[Hours and directions »](#)

Court Locations
Charlotte
401 West Trade Street, Room 1200
Charlotte, NC 28202
Asheville
100 Otis Street, Room 309
Asheville, NC 28801
Statesville
200 West Broad Street, Room 304
Statesville, NC 28677

Other Resources

- Judicial Seminars Disclosure
- Judiciary Staff Travel Regulations
- Approved Sureties
- Post Judgment Rates
- Post Judgment Select Rates (Daily)
- Instructions for Post Judgment Interest Rate Data Download Program

Other Court Links

- 4th Circuit Court of Appeals
- Bankruptcy Court
- Probation and Pretrial Services
- Federal Defenders Office

Court Alerts & Scams

Attorney Insider Insights

The POWER Act

Contact Us

Local Rules and Orders

Forms

24 Court Calendar

Employee Dispute Resolution
[Your Employee Rights and How to Report Wrongful Conduct](#)

News & Announcements
Sat, 11/23/2024
[2024 Holiday Order](#)
Wed, 11/06/2024
[Nationwide NEF \(Notices of Electronic Filing\) Scam](#)
PLEASE BE ADVISED: [More »](#)
Fri, 12/06/2024
[Case #](#)
[View all](#)

Attorney Insider Insights
The Court's new **Attorney Insider Insights** page is intended for attorneys and users that file documents electronically in the Western District of North Carolina. It is designed to provide you and your staff with best practices for utilizing the Case Management Electronic Case Files (CM/ECF) system to its fullest. You will also find information on many other helpful topics, guided by what we are seeing in the Clerk's Office during our quality control process. Check back periodically for updates!

- [How to Flatten a PDF](#)
- [Navigating Large Document Uploads](#)
- [Filing Sealed Documents-Civil](#)
- [Submitting Summons for Issuance](#)

Magistrate Court Overview


■ Asheville Magistrate Court:

- Criminal proceedings are typically held Monday, Wednesday & Friday mornings.
 - If you anticipate contested hearings, please notify the Courtroom Deputy ASAP to allow for adjustments to the Court's schedule.
- If Civil proceedings are necessary, they are scheduled as the docket allows.

■ Charlotte Magistrate Court runs on a two-week duty rotation. (Criminal)

- Two weeks for Judge Rodriguez.
- Two weeks for Judge Keesler
- Charlotte Courtroom Deputies also work on a two-week court rotation.

Remote Initial Pretrial Conferences often begin at 9:00 am. The criminal docket typically begins at 10:00am. Please be timely. The Court calendar is never set in stone and there are often scheduling changes. Be present and ready if the judge calls your case early.



For last-minute issues, please call our main line at the appropriate location. We leave our desks **at least 30 minutes** before Court begins to get the courtroom ready. The only way to reach us quickly is by contacting our office.



Forms needed for Magistrate Court may be found on our website **Forms > Local Forms**.



LCvR 7.1(i) requires that when a party knows in advance that a transcript will be required of a hearing before a Magistrate Judge, they must provide notice before the hearing. Counsel are directed to satisfy this obligation by communicating directly with the Judges Courtroom Deputy in advance of the hearing.

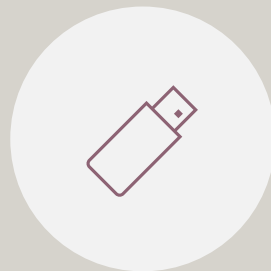


Test equipment in the courtroom with a Courtroom Deputy prior to the hearing to ensure there are no technical issues.

District Court Overview

- Please review Notices of Hearings carefully. The schedule may have changed, and the Court expects you to be present at the directed time.
- Sentencing hearing expected to last longer than 30 minutes?
 - Pursuant to LCrR 32.5(e), once sentencing memoranda have been filed, counsel for the respective parties must file a Notice of Time Needed for Sentencing Hearing if greater than the time typically allotted by the Sentencing Judge. Please also notify the Courtroom Deputy ASAP.
- It is the attorney's responsibility to arrange training on our courtroom technology in advance of scheduled proceedings. To schedule training please select **Contact Us** on the home page and choose the category **Request Training**:





Trial exhibits must be provided electronically on a thumb drive or CD to the Courtroom Deputy as soon as possible to be imported into the JERS program.



The Courtroom Deputy will email counsel prior to trial with information regarding the naming of exhibits and required exhibit file types.

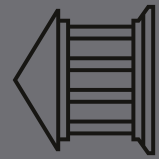
Please refer to: [Jury Evidence Recording System \(JERS\) | Western District of North Carolina | United States District Court](#) on the Court's website for additional information.

Sentencing Memoranda and Letters of Support

- LCrR 32.5(c) states that sentencing memoranda and letters of support are to be filed no later than 7 days before the sentencing date. Consideration of any late filed material will be at the discretion of the District Judge.
- Sentencing Memoranda, exhibits, and supporting letters shall not be filed under seal unless leave is secured from the Court.

Secured Leave

- Secured leave is not recognized in Federal Court. You may file a Notice of Unavailability in each of your active cases. If you are scheduled during secured leave, please file a Motion to Continue.
- If you are scheduled to appear in front of different Judges at the same time, please contact the Courtroom Deputies immediately.



Jury FAQs

How is the grand jury selected?

- 250 jurors are summoned.
- Approximately 30 are called in for Orientation.
- 23 individuals are then randomly selected as Grand Jurors.
- The remaining 7 are alternates.

How is the petit jury pool selected?

- Potential jurors are imported into our Jury Management System (“JMS”) from records provided by Voter Registration.
- 850 potential jurors are chosen randomly to be part of a 9-week pool for a particular term of Court. The size of each pool is based on the need for that term of court. Prior to trial, the jury clerk uses the JMS system to identify the specific jurors that will be required to appear for jury selection.

How much do they get paid?

Jurors are paid \$50 a day and are reimbursed for mileage and parking. Jurors traveling further than 60 miles away may be reimbursed for a hotel stay at the current government rate.

How often do people serve?

Jurors can serve every 2 years.

How soon can I get the list of the potential jurors and their completed questionnaires ?

Parties are given the jury list once all prospective jurors are here and accounted for, right before jury selection begins.

Can I get a copy of the blank jury questionnaire?

Yes. A blank questionnaire is being provided as part of this presentation.

Clerks Best Practices and Helpful Hints



Please call our office with any ECF questions before filing, if possible.



We are happy to talk you through various minor filing and ECF issues. However, if there is an issue with your technology that we are unable to troubleshoot, our first suggestion will always be to log out, empty your cache and cookies, restart, and try again!



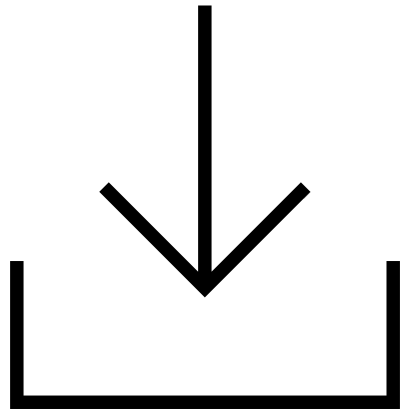
You may also submit a question to our CM/ECF Help Desk by visiting the Court's web site, clicking on the Case Info tab and selecting the CM/ECF Help Desk.



Have you filed a document in error or noticed that an attachment is incorrect? We can help!

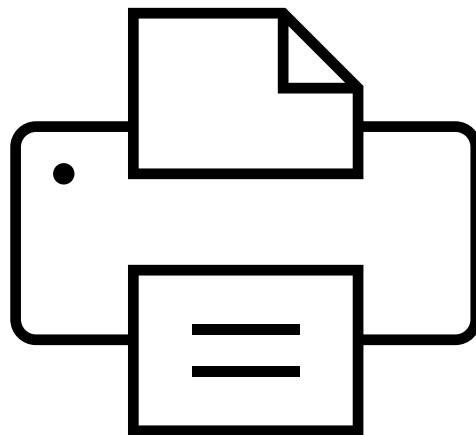
Please contact the Clerk's Office instead of refileing the document!

If this happens after-hours, email the document to opposing counsel and leave a message with our office. A clerk will return your call first thing the next morning. The corrected document can be emailed to a Clerk who will assist in deleting and replacing the PDF image.



Flattening PDF Documents

- All fillable PDF forms docketed with the Court via our CM/ECF filing system should be flattened prior to docketing.
- Flattening a PDF ensures the document can be viewed on all devices, prevents viewers from manipulating or editing the information and allows us to better manage digital files.
- Easy ways to flatten:
 - Open the PDF file in your preferred program that you can view, open, and print PDFs (Adobe Acrobat Reader, Google Chrome, or Microsoft Edge).
 - Find and select "Print" from the window's menu.
 - In the "Printer" dropdown, select "Adobe PDF", "Microsoft Print to PDF" or "Save as PDF" as the printer.
 - Click "Print" or "Save" to create a new PDF.



Common Errors

Common Error #1

Docketing in a Multi-Defendant Criminal Case

It is very important when docketing a pleading in a multi-defendant case to select only your client's case number and not the main case number.


Motions

Criminal Case Number

3:16-cr-136


Hide Case Lis

Select a case:

☐ 3:16-cr-00136-MOC-DSC USA v. Goodnight et al 

Next

Clear

If your defendant does not show, click on the  to expand.

DO NOT click on
the main case
number.

Clicking the main
case number will
file the document
in ALL
defendants'
cases

Click on ONLY
the person you
represent

Motions

Criminal Case Number

3:16-cr-136

Select a case:


☒ 3:16-cr-00136-MOC-DSC USA v. Goodnight et al

☐ 3:16-cr-00136-MOC-DSC-1 Taylor Goodnight (closed 01/09/2018)

☐ 3:16-cr-00136-MOC-DSC-2 Fredilyn Sison

☐ 3:16-cr-00136-MOC-DSC-3 Cecilia Oseguera

☐ 3:16-cr-00136-MOC-DSC-4 Peter Adolf



Motions

Criminal Case Number

3:16-cr-136-3

Select a case:


☐ 3:16-cr-00136-MOC-DSC USA v. Goodnight et al

☐ 3:16-cr-00136-MOC-DSC-1 Taylor Goodnight (closed 01/09/2018)

☐ 3:16-cr-00136-MOC-DSC-2 Fredilyn Sison

☒ 3:16-cr-00136-MOC-DSC-3 Cecilia Oseguera

☐ 3:16-cr-00136-MOC-DSC-4 Peter Adolf



How do you know if you've made an incorrect selection?

- Review the Final Docket Text screen carefully. In the below example, the motion is filed by “*Cecilia Oseguera*” but also lists as to Taylor Goodnight, Fredilyn Sison, Cecilia Oseguera and Peter Adolf. The “as to” section indicates which case(s) you are filing in.

Docket Text: Final Text

MOTION to Continue Docket Call/Trial by Cecilia Oseguera as to Taylor Goodnight, Fredilyn Sison, Cecilia Oseguera, Peter Adolf. Responses due by 3/3/2021 (Mason, Perry)

- If you see extra defendants listed – **STOP!** Click on the Criminal tab to restart and file your motion selecting only your defendant. The Final Docket Text should read “by (your client)” only.

Docket Text: Final Text


MOTION to Continue Docket Call/Trial by Cecilia Oseguera. Responses due by 3/3/2021 (Mason, Perry)

Common Error #2


Duplicate Naming of PDF Attachments

When filing an attachment, you are given a drop-down menu that allows you to select from several key words such as Exhibit, Appendix, Affidavit, etc. The next box is for additional text to better describe your attachment. Do not repeat category language. The text from the drop-down box menu you select under Category and additional Description text will appear in the docket entry.

Attachments		Category	Description	
1.	<input type="button" value="Choose File"/> Exhibit 1.pdf	Exhibit ▼	1	<input type="button" value="Remove"/>
2.	<input type="button" value="Choose File"/> Exhibit 2.pdf	Exhibit ▼	2	<input type="button" value="Remove"/>
3.	<input type="button" value="Choose File"/> Exhibit 3.pdf	Exhibit ▼	3	<input type="button" value="Remove"/>



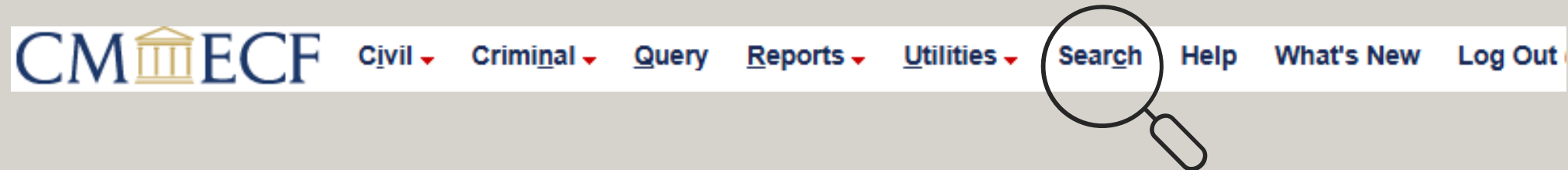
Attachments		Category	Description	
1.	<input type="button" value="Choose File"/> No file chosen	Exhibit ▼	Exhibit 1	<input type="button" value="Remove"/>
2.	<input type="button" value="Choose File"/> Exhibit 2.pdf	Exhibit ▼	Exhibit 2	<input type="button" value="Remove"/>
3.	<input type="button" value="Choose File"/> Exhibit 3.pdf	Exhibit ▼	Exhibit 3	<input type="button" value="Remove"/>



Common Error # 3

Selecting **Miscellaneous Filing** or **Notice-Other** when a different docketing event is more appropriate.

Before using catch all events, use ECF's Search Option to help you locate a more specific event.



Search all menus and event options at once!

Type

keywords into the search bar-you will see all available docketing options and their locations.




Click

the appropriate event's hyperlink to bypass the menu and be redirected to the correct docketing screen.

Search Menus and Events ✕

- Civil Events → Court Events → Other Orders/Judgments**
[Order Returning Trial Exhibits](#)
- Civil Events → Other Filings → Other Documents**
[Exhibit](#)
- Civil Events → Other Filings → Trial Documents**
[Exhibit List](#)
- Criminal Events → Court Events → Other Orders/Judgments**
[Order Returning Trial Exhibits](#)
- Criminal Events → Other Filings → Other Documents**
[Exhibit](#)
- Criminal Events → Other Filings → Trial Documents**
[Exhibit List](#)

Notice the difference?

02/12/2023	 3	NOTICE <i>of Motion to Compel</i> by Kevin Ellis (thh) (Entered: 02/12/2023)
02/12/2023	  4	MOTION to Compel by Kevin Ellis. Responses due by 2/26/2023 (thh). Motions referred to W. Carleton Metcalf. (Entered: 02/12/2023)

The appropriate events populate deadlines, add a gavel to the docket (to indicate a pending motion), terminate deadlines and more. Choosing your docketing event wisely is so important!

Chambers' Perspective

Sealed Pleadings



File your motion to seal:

Motions to Seal are publicly available.

Need to discuss confidential reasons for sealing?
File a sealed memorandum along with the motion. (Note: The sealed memorandum must be filed in a docket entry separate from the public motion to seal.)



File the document you propose to seal.

It will be restricted with a provisional sealing.



File a redacted version of the document on the public record.

If redaction is not feasible, explain that in your motion.

Reminder: Social Security numbers, dates of birth, minors' names, and account numbers should be redacted pursuant to Fed. R. Civ. P. 5.2. Motions to seal are not required.

Common Errors that have the Greatest Impact on Chambers

Not labeling exhibits clearly.

Combining responses and motions.

Failing to reflect consultation with opposing counsel.

Filing improper stipulations of dismissal.

Not filing corporate and/or citizenship disclosure statements at first appearance.



Questions



United States District Court

- If your name and/or address has changed please indicate correction here or online
- If the juror is deceased, please indicate correction here or online and do not complete the remainder of this questionnaire.

Save time and money by completing
this form on the court's website.

FOR OFFICIAL USE

Jurors Please Do Not Write In This Space

Q ☐ X ☐ E ☐ D ☐

County/Parish/Borough/District/Ward
You Now Live In

Contact
Phone

Email

Juror Qualification Questionnaire

Please read the Prospective Juror letter before completing the Questionnaire

Dear Prospective Juror:

Your name has been drawn by random selection, and you are being considered for jury service in the United States District Court. Trial by Jury is a keystone of our system of justice. Jury service is, therefore, both an opportunity and an obligation of every American. Jurors will receive mileage and, unless they are federal government employees, an attendance fee for each day of service.

In order for us to obtain some information about you from which we can objectively determine whether you are qualified to serve pursuant to federal law, please complete this questionnaire, either online at the court's website noted above or by completing both sides of this paper form. **Answer** all questions, sign, date and return this form in the enclosed envelope or complete the form online within ten days.

If you do not return this questionnaire form fully completed or complete the online form within ten days, you can be legally required to appear at your expense for completion of the questionnaire at this office.

If you are unable to fill out this form, someone else may do it for you provided that person indicates in the "Remarks" section why it is necessary for him or her to do so instead of you.

Do not attach anything to this form. Please write your comments in the "Remarks" section. Do not ask to be excused by telephone.

If your address changes after you have returned this questionnaire, you should notify us promptly through e-Juror or through US Mail, addressing it to Attention: Jury Administrator".

- If completing a paper copy:
- Use a blue or black ink pen that does not soak through the paper.
 - Do not write in margins nor in "official use only" areas.
 - Fill the ovals completely. **Right** • **Wrong** *Qr*

1. Are you a citizen of the United States? **Yes** ☐ **No** ☐

2. Are you 18 years of age or older? **Yes** ☐ **No** ☐

Give your age

Date of Birth: Month ____ Day ____ Year ____

3. a. Has your primary residence for the past year been in **Yes** ☐ **No** ☐

b. Has your primary residence for the past year been in **Yes** ☐ **No** ☐
of

If "No" to either question, see the notes to the right.

4. a. Do you speak the English language? **Yes** ☐ **No** ☐

b. Do you read, write, and understand the English language well enough to complete this questionnaire without help? **Yes** ☐ **No** ☐

c. If it is necessary to explain your answers to either Question 4a or 4b, please do so in the notes to the right or Question 4.

Continued on the Back

REMARKS

Question 3 • RESIDENCE. If you answered "**No**," that your primary residence was not in the same state or county for the past year, name the other states and counties of primary residence, and give dates.

Question 4 - LANGUAGE. If you need to explain your answers to either part of Question 4, provide explanation below.

5. Are any charges now pending against you for a violation of state or federal law punishable by imprisonment for more than one year (a felony)? Yes ☐ No ☐
6. Have you ever been convicted of or sentenced for a state or federal crime for which punishment could have been more than one year in prison or jail (a felony)? Yes ☐ No ☐
7. Answer if your response to Question 6 is "Yes," Was your right to serve on a jury restored? (If "Yes," explain in the notes to the right) Yes ☐ No ☐
8. Do you have any physical or mental disability that would interfere with or prevent you from serving as a juror? (If "Yes," see instructions to the right for question 8). Yes ☐ No ☐
9. Are you Hispanic or Latino? Yes ☐ No ☐
10. Please fill in completely one or more ovals that describe your race. (See notes to the right for Question 10).
- ☐ Black/African American ☐ Asian
☐ American Indian/Alaska Native ☐ White
☐ Native Hawaiian/Pacific Islander ☐ Other, Specify: _____

11. SEX: Male ☐ Female ☐

12. OCCUPATION (See instructions to the right)

- a. Are you now employed? Yes ☐ No ☐
- b. Are you a salaried employee of the U.S. government (this does not include U.S. Postal Service employees)? Yes ☐ No ☐

13. Are you employed on a paid full time basis as a:

- a. Public official of the United States, state, or local government who is elected to public office or directly appointed by one elected to office. Yes ☐ No ☐
- b. Member of any non-federal government police or fire department. Yes ☐ No ☐
- c. Member in active service of the U.S. armed forces. Yes ☐ No ☐

14. EXCUSE CATEGORIES

- If one of the numbered excuses listed to the right applies to you AND you wish to be excused on this basis, fill in the corresponding oval for that excuse number and provide additional information in the "Remarks" section if requested. See Notes to Question 14 as more information supporting your request may be required. Or if you wish to serve, do not show anything here.
- | | | | |
|---|-----------------------|----|-----------------------|
| 1 | <input type="radio"/> | 2 | <input type="radio"/> |
| 3 | <input type="radio"/> | 4 | <input type="radio"/> |
| 5 | <input type="radio"/> | 6 | <input type="radio"/> |
| 7 | <input type="radio"/> | 8 | <input type="radio"/> |
| 9 | <input type="radio"/> | 10 | <input type="radio"/> |

15. YOUR SIGNATURE

Be sure you have signed the form. If another person had to fill out this questionnaire for you, that person must indicate his or her name, address and reason why in the "Remarks" section on the front of this form.

I declare under penalty of perjury that all answers are true to the best of my knowledge and belief. (Sign below and date)

SIGN
HERE

Date _____

Question 5, 6 and 7 - CRIMINAL RECORD. If your answer to either question 5 or 6 is "Yes," please show below: (a) date of the offense, (b) date of the conviction (or date of pending charge), (c) nature of the offense, (d) the sentence imposed (if a conviction), and (e) the name of the court. One is disqualified from jury service only for criminal offenses punishable by imprisonment for more than one year, but it is the maximum penalty, and not the actual sentence, which controls. **NOTE - Answer Question 7 only if your answer to Question 6 is "Yes."**

Question 8 - YOUR HEALTH. If you claim a mental or physical disability, please explain and/or enclose proof of it in a separate document. Do not attach anything to the form. **NOTE - Do not ask the court to call your doctor.** Any doctor's statement you obtain regarding your physical condition must be sent to the court by you rather than by the doctor. Qualified individuals with disabilities have the same opportunity and obligation to serve as jurors as individuals without disabilities. If you have a disability that would affect, but not prevent, your serving as a juror, please advise and explain below or by enclosing a separate unattached letter.

Question 10 - RACE. Federal law requires you as a prospective juror to indicate your race. This answer is required solely to avoid discrimination in juror selection and has absolutely no bearing on qualifications for jury service. By answering this question you help the federal court check and observe the juror selection process so that discrimination cannot occur. In this way, the federal court can fulfill the policy of the United States, which is to provide jurors who are randomly selected from a fair cross section of the community.

Question 12 - OCCUPATION. Federal law requires that you answer the questions about your occupation so that the Federal Courts may determine promptly whether you fall within an excuse or exemption category (See Questions 13 and 14).

Your Usual Occupation, Trade, or Business _____

Your Employer's Name _____

Question 14 - GROUNDS FOR EXCUSE. If one of the categories listed below applies to you and you wish to be excused for that reason, fill in completely the oval for your category at Question 14. Please make sure you also give in the "Remarks" on the front of this form such information as may be requested within the excuse category. You may still be qualified to serve if the court determines upon review that you appear to be eligible for service. Other persons may be excused only by showing jury service would cause them undue hardship or extreme inconvenience.

FOR OFFICIAL USE

CONFIDENTIAL JURY QUESTIONNAIRE

(To be Reviewed Only by Counsel and the Court)

Name: _____ Age: _____

Town/City of Residence: _____

County of Residence: _____ Years at this Residence: _____

Highest Level of Formal Education: _____

Current Employer/Workplace: _____ Years at this Employer: _____

Position of Employment/Type of Work: _____

Marital Status (Check One) _____ Single

_____ Married/Remarried: If married, years married: _____

_____ Divorced and not remarried

_____ Widow/Widower

Spouse's Employment: _____ Years at this Employer: _____

Children (Check One): _____ No

_____ Yes: If yes, ages and genders: _____

Have you ever served on a jury before? _____ No

_____ Yes: If yes, was it a Civil Jury _____

Or a Criminal Jury _____

If yes, did you reach a verdict: _____ No or _____ Yes

(Do **NOT** indicate what the verdict was)

Other than serving as a juror and other than minor traffic violations, have you or any member of your immediate family ever had any other involvement in a court proceeding (as a party, witness, or other role)? _____ No or _____ Yes

If yes, briefly describe: _____

Do you know any attorney or employee in the United States Attorney's Office: _____ No or _____ Yes

Do you **personally** know any other law enforcement officer or special agent: _____ No or _____ Yes

If yes, briefly describe: _____

Other than minor traffic violations, have you ever had any unpleasant or bad encounter with a law enforcement officer or law enforcement agency? _____ No or _____ Yes

If yes, briefly describe: _____

Has anyone close to you, such as a close friend or relative, had any run-ins, difficulty, or disagreement with a law enforcement agency or other government agency? _____ No or _____ Yes

If yes, briefly describe: _____

Trial Schedule:



Chief Judge Martin Reidinger

Breaks: Two (2) 15-minute breaks; typically, 11:00am and 4:00pm. Lunch recess for 1 hour normally between 1:00 and 2:00pm. Recess for the day is typically 6:00pm.

Jury Selection/Trials: If selecting juries for more than one criminal trial, often two juries will be chosen in the same day; Selection for the first trial occurs last, then moves directly into trial. Mandatory Strike Method for jury selection.

Handling of Exhibits: Courtroom Deputy will prepare and present an Order directing counsel to retain all exhibits.

District Judge Max Cogburn

Breaks: Typically, every two hours. Lunch recess for 1 hour. Recess for the day is usually no later than 5:30pm.

Jury Selection: The full jury pool is seated in the gallery of the courtroom. The CRD calls the number of jurors to be selected into the box. Judge Cogburn questions everyone in the room, then focuses personal voir dire questions on jurors in the box. He then allows counsel to ask questions and exercise challenges. The Judge may also challenge for cause based on answers given by the potential jurors and may hold sidebars to confer regarding challenges for cause. The CRD will call replacements into the box as needed and selection continues until both parties are satisfied with the jury. The CRD then impanels the jury.

Handling of Exhibits: Courtroom Deputy will prepare and present an Order directing counsel to retain all exhibits.

METHOD OF JURY SELECTION
CRIMINAL CASES MANDATORY

STRIKE METHOD

1. The Clerk will call 14 members of the jury pool into the jury box.
2. The Clerk will then call an additional 14 members of the jury pool into seats A1 through A14 which will be in the first 2 rows of the gallery on the side of the Courtroom where the jury box is located. The 14 in the jury box and the 14 in the front two rows of the gallery are referred to herein as “the 28.”
3. The Clerk will then call an additional 4 members of the jury pool into seats B1 through B4, which will be in moveable chairs immediately in front of the jury box. These 4 are referred to herein as “the prospective alternates.”
4. The Court will then conduct the voir dire of the 28 as well as the prospective alternates.
5. The Government will then be allowed approximately 40 minutes to conduct a voir dire of the 28 and the prospective alternates.
6. The Defense will then be allowed approximately 40 minutes to conduct a voir dire of the 28 and the prospective alternates.
7. Both sides will then be given the opportunity to make any challenges for cause. The Court will initiate this by asking something like “Are there any motions to be made with respect to the current jury panel?” If there is an answer in the affirmative by either side, the motion(s) to strike for cause will be heard at the bench.
8. If any members of the 28 or the prospective alternates are stricken for cause, then those members will be replaced with new members of the jury pool.
9. The Court will then conduct a voir dire of the new members of the 28 and/or the prospective alternates who have replaced the members who were stricken for cause. This will be followed by an opportunity for the Government to likewise voir dire the new members, followed by a like opportunity for the Defense. Counsel will ordinarily be allowed approximately two minutes per new member of the panel for such voir dire.
10. If there are any additional motions to strike for cause as to the new members of the panel they would be heard in the same manner as before at this time.
11. Once all 32 positions (28 + 4) are filled with prospective jurors who have not been challenged for cause, then the parties will exercise their peremptory challenges in the following manner.

12. First, the Defense will be called upon to exercise 4 of its peremptory challenges as to members of the 28. (The alternates are dealt with later.) This will be initiated by the Court by saying something like “What says the defense as to the jury panel?”
13. After the Defense has excused 4 jurors, then the parties will exercise their remaining 6 challenges for each side by alternating. In other words, after the Defense has stricken 4, then the Government will strike one, followed by the Defense striking another, until the Government has used all 6 of its peremptory challenges and the Defense has used its 10.
14. Once all the peremptory strikes have been used by both sides, then there will only be 12 members of the 28 remaining. They constitute the jury for the case. They will then be re-positioned by the Court so that they are seated in seats 1 through 12 in the jury box.
15. Then, with regard to the 4 prospective alternates, the Court will initiate the exercise of the parties’ peremptory challenges by asking something like “What says the Government as to the alternate jurors?” The Government will then exercise a peremptory challenge as to one, and the Defense will exercise a peremptory challenge as to another. The remaining two prospective alternates will serve as the alternate jurors for the case.

Western District of North Carolina Divisional Counties

Asheville	Charlotte	Statesville
Avery	Anson	Alexander
Buncombe	Gaston	Alleghany
Burke	Union	Ashe
Cherokee	Mecklenburg	Caldwell
Clay		Catawba
Cleveland		Iredell
Graham		Lincoln
Haywood		Watauga
Henderson		Wilkes
Jackson		
Macon		
Madison		
McDowell		
Mitchell		
Polk		
Rutherfordton		
Swain		
Transylvania		
Yancey		

County Codes

- At case opening, you will be asked to add County information twice. In the first instance, please enter the county that gives this case jurisdiction in this district.

ECF Civil Criminal Query Reports Utilities

Open Unassigned Civil Case

Office: Charlotte Case type: cv

Date filed: 1/18/2021

Lead case number: [Leave blank]

Association type: consolidated [Leave default]

Other court name: []

Other court number: []

☐ Related cases

Next Clear

The default office is Charlotte – click on the drop-down box to change.

Leave Other court name and number blank unless you are filing a Notice of Removal

- In the second instance, this is a statistical filed. The Plaintiff's county of residence steers the statistical county selection made by counsel.

ECF Civil Criminal Query Reports Utilities Search

Open Unassigned Civil Case

Jurisdiction: 3 (Federal Question)

Cause of action: [] Filter: [] Clear filter

Nature of suit: 0 (zero) Filter: [] Clear filter

Origin: 1 (Original Proceeding)

Citizenship plaintiff: []

Citizenship defendant: []

Jury demand: n (None) Class action: n (No Class Action Alleged) Demand (\$000): [Leave blank]

Arbitration code: [Leave blank] County: XX, Outside of U.S.

Fee status: pd (paid) Fee date: 1/18/2021 Date transfer: [Leave blank]

Next Clear

See the section on Jury Demand, County and Fee status for further instructions



UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA Frequently Asked Questions

GENERAL INFORMATION

- **What are the Clerk's Office hours?**
Clerk's Office Hours of Operation: Monday through Friday
8:30am – 12:30pm, 1:30pm – 4:00pm
(Closed for lunch from 12:30pm – 1:30pm)
- **Are the phones answered during lunch hour?**
Phones are not answered during the lunch hour.
- **Where are the Courts' general orders and local rules?**
www.ncwd.uscourts.gov
Located under the Court Info Tab > General Orders
Located under the Court Info Tab > Local Rules and Orders
- **What are the responsibilities of the Charlotte Clerk's Office v. Asheville Clerk's Office? For example, I'm told we should send special assessment payments to Charlotte instead of Asheville.**
All funds are receipted in the Charlotte office. If funds are received in Asheville, they will be forwarded accordingly. A self-addressed envelope should be included if a copy of the receipt is requested.
- **How do I request a Certificate of Good Standing?**
Requests may be received by phone, mail, or the internet "Contact Us" button.

CVB

- **I was just hired privately on a CVB case? What if I need a continuance on an initial appearance on CVB case? Do I have to file a motion if we haven't had an initial appearance yet?**
In this instance, please begin by emailing a Notice of Appearance to the CVB Clerk. For cases in which a Defendant has not yet appeared in Asheville, the attorney may request a first-time continuance with the Clerk. For return Asheville appearances or Cherokee cases, a written Motion to Continue is needed, and can also be emailed. The Clerk will contact the parties once the Judge has reviewed and ruled on the motion. If continued, the Clerk will also provide the parties with a new court date and updated Notice to Appear by email.
- **What time does CVB Court begin?**
All appearances are scheduled at 9:00 AM. While court often begins after 9:00 AM, due to collateral dispositions, please meet with your client and be ready to go at 9:00 AM.
- **How do I file a document in a CVB case?**
Any documents prior to the scheduled CVB hearing can be filed via email with the CVB Clerk.
- **When will CVB cases be on ECF?**
Currently, we are still paper heavy. We are working hard to get electronic CVB up and running, but do not yet have an ETA.

ECF

- **How can I stop getting ECF notices once the case is finished? Or am I taken off the case (by choice or not by choice)?**
Contact the Clerk's Office.
- **Why can't I get access to documents if I'm attorney of record? For example, I'm appointed as counsel on an SRV, and I can't get the PSR, which I might need, because I was not the original attorney?**
Contact the Clerk's Office.
- **Where can I get more ECF training?**
Please refer to the website under Case Info > CM/ECF Reference Guides for documentation. You may also refer to the *New* Attorney Insider Insights quick link on the Court's Website for helpful docketing information, like submitting summons, flattening PDFs and navigating large document uploads.
- **What if there isn't a topic/event on the pulldown menu that I need? Should I keep using miscellaneous?**
Utilize the search feature in ECF. If no topic/event is found, then you can use the miscellaneous event. If the filing is a motion, then use motion category and select "miscellaneous relief" from the available events. If the filing is a notice, then use Notice (Other).
- **Who should I contact if I have a filing question, for example, if there is an "event" in ECF under which I should file a particular document?**
Contact the Clerk's Office.
- **I accidentally misfiled something. How do I fix it?**
Please contact the Clerk's Office instead of refiling the document. If this happens after hours, email opposing counsel immediately and then leave a message for the Clerk's Office and someone will return your call first thing the next morning. The corrected document can be emailed to a Clerk who will assist in replacing.
- **I'm confused about sealed documents. I never know if I filed it correctly or not. Who should I contact if I have a filing questions, for example, if there is an "event" in ECF under which I should file a particular document?**
Contact the Clerk's Office.
- **I've heard that the Clerk's Office calls the filer in case he/she forgets to file something sealed. Is that true?**
Not always, we cannot assume you want a particular document sealed.

FINANCIAL

- **Who should I contact if there is an issue with a client's monetary penalties? (e.g. if the client calls from BOP and says he has paid his special assessment, but the BOP says he has not).** Please call the Court Financial Department 704-350-7418.

FORMS

- **What forms are available? How do we get them?**
All our forms are available on our public website under the Forms tab, or through the docket entry link provided on the docket.

JURY

- **How is the grand jury selected?**
250 are summonsed, approximately 30 prospective jurors are brought in; 23 are randomly selected as Grand Jurors and the remainder on that panel are all alternates.
- **How is the jury pool selected? How much do they get paid? How often do people serve?**
Pools are randomly and automatically selected by our jury system, JMS, and those records are provided to us by voter registration in Raleigh, NC. They are paid \$50 per day, and reimbursed for parking in Charlotte and Asheville, as well as mileage. Jurors can serve every 2 years.
- **Can I get a copy of the blank supplemental jury questionnaire?**
Included in this packet.
- **How soon can I get the list of the jury pool and their completed questionnaires?**
Parties are given their jury list once all prospective jurors are here and account for, just before selection begins.

TRIALS

- **Can I use my Mac during trial, or is hardware specific to PCs?**
Courtroom Technology has been updated and new technology added. It is always a good idea to familiarize yourself with technology ahead of your hearing. Currently, the only computer connections wired onto the attorney's tables are HDMI and USB-C. **Please ensure that you test with the CRD, using the computer you plan to use for the proceeding, prior to Court.**
- **What kind of electronic gadgets are available to the attorneys in the courtroom? How can I be trained on that? Are there special hours?**
The Court does not provide any electronic gadgets. Attorneys are required to bring their laptops to hook into the Court's automated technology system. Training can be requested by going to the website and submitting a request. Based on the Judge you will be appearing before, the CRD will contact you and set up a time for training. There are no special hours.

TRANSCRIPTS

- **Can we get transcripts that are filed in old cases from ECF?**
Depending on the date of the case. Please contact the Clerk's Office. You may then be referred to Tammy Hightower for additional assistance in obtaining a transcript if one is not available on the docket.
- **How do you get a transcript of a magistrate court hearing?**
CD or Flash drive recordings can be made upon request to the Clerk's Office. For a typed transcript, contact Tammy Hightower to assign to a Court Reporter to transcribe.

INTERPRETERS FOR COURT

- **If we need to meet with our clients before or after the hearing, can we use a Court Interpreter's services? Do we have to pay them?** You are allowed to use the scheduled interpreter; however, if you are retained counsel, you are responsible for the cost of their services outside of the courtroom. If FDO or CJA Panel counsel, there is no charge.

MAGISTRATE COURT

- **Are magistrate court hearings recorded? Are they accessible to us? If yes, how?**

Yes. Magistrate Court used DCR (Digital Court Recorder). The recordings are not available on CM/ECF but can be requested from the Clerk's Office for a fee.

SCHEDULING

- **I just got an email asking me about scheduling a sentencing hearing. What if I can't do it on the dates given to me? Do I need to file a motion to continue?**

Please notify the Courtroom Deputy as soon as possible by responding to the email with your scheduling conflict/request. If your hearing has already been scheduled, please file a Motion to Continue.

SUBPOENAS

- **Can you walk me through the subpoena process? What do we have to do to get a subpoena for a criminal case? Is the process different if it's a person or just documents?**

Refer to LCrR 17.2 SUBPOENAS IN CRIMINAL CASES *Requests for Subpoenas Where Defendant is Unable to Pay*. All defense motions seeking service of subpoenas by the United States Marshal at government expense must be filed with the Court at least fourteen (14) days before either the hearing date or the first day of the term of Court, whichever is earlier, for which witness's presence is being requested. Any subpoena request not made at least fourteen (14) days before the applicable date may be denied as untimely. Upon a finding of good cause, however, a judicial officer may honor an untimely subpoena request.

Administrative Order 3:09-mc-00145 allows the issuance of subpoenas by the Federal Defenders along with a copy of the order to serve subpoenas in the same manner pursuant to Rule 17(b).