

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF  
NORTH CAROLINA  
CHARLOTTE AND STATESVILLE DIVISIONS

STANDING ARRAIGNMENT ORDER AND STANDING ORDERS GOVERNING  
CRIMINAL CASES  
BEFORE THE HONORABLE KENNETH D. BELL

DOCKET NO.: 5:19-mc-6

This Order is effective as of May 9, 2025, and shall apply to all criminal cases assigned to the docket of the Honorable Kenneth D. Bell.

**STANDING ARRAIGNMENT ORDER**

The Defendant has acknowledged receiving a copy of the Indictment, has stated an understanding of the pending charges against him/her, and has entered a plea of:

- (x) NOT GUILTY and requested a jury trial;
- ( ) NOT GUILTY and waived his/her right to a jury trial;
- ( ) GUILTY.

Wherefore, the Defendant and defense counsel are hereby advised that:

**STANDING ARRAIGNMENT AND ORDERS GOVERNING CRIMINAL CASES**

1. Initial Trial Setting. Upon the entry of a not guilty plea, a case will be calendared for either: (1) the Court's next Criminal Term; but (2) if the Court's next Criminal Term is less than thirty (30) days from the date of the arraignment, the magistrate judge is authorized to grant a single continuance. Any objection to this continuance must be made at the time of arraignment or written waiver of arraignment will be deemed waived. Defendant and counsel will be notified of the specific date, location, and time to appear.

2. Plea Changes. If Defendant wishes to change this plea, he/she must advise the Clerk of Court and the U.S. Attorney in writing.

3. Plea Changes at Trial. If a jury is summoned for Defendant's trial only, and the Defendant changes the plea to guilty on the day of the trial, Defendant may be charged with the cost of the jury.

4. Plea Agreements. Plea Agreements must be filed with the Clerk of Court no later than twenty-eight (28) days before the term at which the case is scheduled to be tried.

5. Pretrial Motions. All motions required to be made under Rule 12(b)(3) of the Federal Rules of Criminal Procedure, including motions to dismiss and motions to suppress evidence, and accompanying supporting memorandum of law, must be in writing and must be filed within sixty (60) days from the date of this Arraignment Order, or the date on which counsel is appointed or makes a general appearance, whichever occurs last. Other pretrial motions, including motions in

limine, shall be filed no later than twenty-eight (28) days prior to the term at which the case is scheduled to be tried, with Responses due seven (7) days later. Motions not timely filed will be summarily denied. **The Parties are advised that the Court's ECF system may automatically generate a "due" date that is different than set in this Order. In that event, the timeframe set by this Order controls.**

6. Motions to Continue. Motions to continue trial shall be filed no later than twenty-eight (28) days prior to the term at which the case is scheduled to be tried.

7. Motions for Subpoenas. Motions for issuance of subpoenas at government expense under Fed. R. Crim. P. 17(b), must be filed no later than fourteen (14) days before the term at which the case is scheduled to be tried.

8. Proposed Jury Instructions; Voir Dire; Verdict Sheets. Proposed jury instructions, voir dire, and verdict sheets shall be filed and emailed to chambers in Word documents, no later than fourteen (14) days prior to the term at which the case is scheduled to be tried.

- a. Counsel must prepare and jointly submit a single Word document of proposed jury instructions that are narrowly tailored to the anticipated issues arising at trial, subject to supplementation at the close of evidence. A proposed instruction without a supporting citation will not be considered. Counsel should number each proposed instruction and shall submit each proposed instruction on a separate page. Where there is disagreement as to any instruction, this jointly prepared submission shall disclose in a footnote the basis for the party's objection and (if applicable) provide a proposed alternate instruction. Standard pattern introductory instructions are not required to be submitted.
- b. Counsel is not required to submit jointly proposed voir dire or verdict sheets.

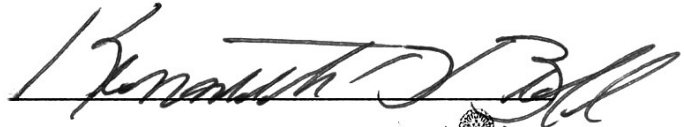
9. Mistrial. In the event of a mistrial, further pretrial motions must be filed within thirty (30) days of declaration.

10. Presentence Investigation Report. Objections to the PSR must be served not later than fourteen (14) days after receipt of the PSR. *See* Fed. R. Crim. P. 32(f)(1). An extension of up to seven (7) days may be granted at the discretion of the United States Probation Office; otherwise, extensions of time may be obtained only upon written motion to the Court. Each objection to a PSR shall:

- a. Specify the page and paragraph of the PSR to which the objection applies;
- b. Include a proposed amendment or modification to the language of the relevant paragraph of the PSR; and
- c. Include a statement as to how the calculations of the defendant's offense level and/or criminal history will be affected if the objection is allowed, including calculations of the resulting Guidelines ranges for imprisonment and fines.

11. Motions for Departure/Variance; Sentencing Memoranda. Any motion for a departure or variance from the advisory Sentencing Guidelines range, as well as any sentencing memorandum counsel may wish to submit for the Court's consideration, must be filed not later than eight (8) days before the sentencing date, with any memorandum in opposition due not later than three (3) days before the first day of the term.

Signed: May 9, 2025

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell  
United States District Judge

