U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED
MAR - 7 2005
CLERK, U.S. DISTRICT COURT
By Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

Special Order No. 2-58

1. The District Judges of this Court have considered and adopted the attached amendments to the local civil rules of this Court. These amendments adopt new local civil rules 53.1, 72.1, and 72.2.

2. Unless modified after receipt of public comment, these rules shall take effect on September 1, 2005, and shall apply to all proceedings in civil actions thereafter commenced and, insofar as just and practicable, all proceedings in civil actions then pending.

3. Any persons who desire to comment on any of these rules may do so by submitting written comments to:

Clerk of Court
United States District Court for the Northern District of Texas
Attention: 2005 Rules Revision Comments
1100 Commerce Street, Room 1452
Dallas, Texas 75242-1495

The deadline by which the Clerk must receive comments is June 1, 2005.

4. The Clerk of Court is directed to make the necessary distribution.

**SO ORDERED.**

March 7, 2005.

FOR THE COURT:

A. JOE FISH, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

PROPOSED LOCAL CIVIL RULES LR 53.1, 72.1, and 72.2

**LR 53.1 Briefing Practice for Objections and Motions Concerning Orders, Reports, and Recommendations of Masters.**

**(a) Brief.** Objections or a motion filed under Fed. R. Civ. P. 53(g)(2) must be accompanied by a brief that sets forth the party's contentions of fact and/or law, and argument and authorities, and complies with LR 7.2.

**(b) Response Brief.** A response brief to objections or a motion filed under Fed. R. Civ. P. 53(g)(2) must comply with LR 7.2 and be filed within 20 days from the date the objections or motion is filed.

**(c) Reply Brief.** Unless otherwise directed by the presiding judge, a party who files objections or a motion under Fed. R. Civ. P. 53(g)(2) may file a reply brief within 15 days from the date the response brief is filed. The brief must comply with LR 7.2.

**(d) Appendix Required.** A party who relies on documentary (including an affidavit, declaration, deposition, answer to interrogatory, or admission) or non-documentary evidence to support or oppose objections or a motion filed under Fed. R. Civ. P. 53(g)(2) must include such evidence in an appendix that complies with LR 7.1(i)(2)-(4).

**(e) Preparing the Record.** A party who files objections or a motion under Fed. R. Civ. P. 53(g)(2) is responsible for preparing the record and—if necessary for disposition of the objections or motion—obtaining a hearing transcript. Unless otherwise directed by the presiding judge, the transcript must be filed contemporaneously with the objections or motion.

**LR 72.1 Briefing Practice Concerning Objections to Magistrate Judge Orders in Nondispositive Matters.**

**(a) Brief.** Objections filed under Fed. R. Civ. P. 72(a) must be accompanied by a brief that sets forth the party's contentions of fact and/or law, and argument and authorities, and complies with LR 7.2.

**(b) Response Brief.** A response brief to objections filed under Fed. R. Civ. P. 72(a) must comply with LR 7.2 and be filed within 20 days from the date the objections are filed.

**(c) Reply Brief.** Unless otherwise directed by the presiding judge, a party who files objections under Fed. R. Civ. P. 72(a) may file a reply brief within 15 days from the date the response brief is filed. The brief must comply with LR 7.2.

**(d) Appendix Required.** A party who relies on documentary (including an affidavit, declaration, deposition, answer to interrogatory, or admission) or non-documentary evidence to support or oppose objections filed under Fed. R. Civ. P. 72(a) must include such evidence in an appendix that complies with LR 7.1(i)(2)-(4).

**(e) Preparing the Record.** A party who files objections under Fed. R. Civ. P. 72(a) is responsible for preparing the record and—if necessary for disposition of the objections—obtaining a hearing transcript. Unless otherwise directed by the presiding judge, the transcript must be filed contemporaneously with the objections.

**LR 72.2 Briefing Practice Concerning Objections to Magistrate Judge Recommendations on Dispositive Motions and Prisoner Petitions.**

**(a) Brief.** Objections filed under Fed. R. Civ. P. 72(b) must be accompanied by a brief that sets forth the party's contentions of fact and/or law, and argument and authorities, and complies with LR 7.2.

**(b) Response Brief.** A response brief to objections filed under Fed. R. Civ. P. 72(b) must comply with LR 7.2.

**(c) Reply Brief.** Unless otherwise directed by the presiding judge, a party who files objections under Fed. R. Civ. P. 72(b) may file a reply brief within 10 days from the date the response brief is filed. The brief must comply with LR 7.2.

**(d) Appendix Required.** A party who relies on documentary (including an affidavit, declaration, deposition, answer to interrogatory, or admission) or non-documentary evidence to support or oppose objections filed under Fed. R. Civ. P. 72(b) must include such evidence in an appendix that complies with LR 7.1(i)(2)-(4).

**(e) Preparing the Record.** A party who files objections under Fed. R. Civ. P. 72(b) is responsible for preparing the record and—if necessary for disposition of the objections—obtaining a hearing transcript. Unless otherwise directed by the presiding judge, the transcript must be filed contemporaneously with the objections.