

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA

In the Matter of )  
Uniform Procedures for )  
Disposition of Habeas Corpus )  
Petitions in Capital Cases )      CIVIL MISC. NO. 3009

**ORDER**

In order to provide for a comprehensive and organized record for this capital habeas proceeding, and to avoid duplication by the parties, the following order is made:

1. The entire record of the case shall be filed with the clerk of the court at a time to be designated by the court.
2. The petitioner shall be the party responsible for filing the record, unless the parties agree that the respondent will file the record.
3. The record shall be divided into volumes each consisting of approximately two hundred pages. Each volume shall be numbered and have a cover that includes the case name, the case number, and a designation of what category of documents, as described below, is contained in the volume. See attached sample volume covers.
4. The record shall be assembled in the following order and shall be separated by tabs according to the following categories.
  - a. *State Court -- Trial*. This section shall include the trial transcript and the circuit clerk's record from the trial proceeding.
  - b. *Alabama Court of Criminal Appeals -- Direct Appeal*. This section shall include the direct appeal briefs filed by both parties with the Alabama Court of Criminal Appeals and the opinion(s) from the Alabama Court of Criminal Appeals.
  - c. *Alabama Supreme Court -- Direct Appeal*. This section shall include the direct appeal briefs filed by both parties with the Alabama Supreme Court and the opinion(s) from the Alabama Supreme Court.
  - d. *United States Supreme Court -- Direct Appeal*. This section shall include the pleadings filed by both parties with the United States Supreme Court and the decision(s) from the United States Supreme Court.
  - e. *State Court -- Collateral Appeal*. This section shall include the post-conviction hearing transcript and the circuit clerk's record from the Rule 32 proceedings with the trial court.
  - f. *Alabama Court of Criminal Appeals -- Collateral Appeal*. This section shall include the post-conviction appeal briefs filed by both parties with the Alabama Court of Criminal Appeals and the opinion(s) from the Alabama Court of Criminal Appeals.
  - g. *Alabama Supreme Court -- Collateral Appeal*. This section shall include the post-conviction appeal briefs filed by both parties with the Alabama Supreme Court and the opinion(s) from the Alabama Supreme Court.
  - h. *United States Supreme Court -- Collateral Appeal*. This section shall include the pleadings filed by both parties with the United States Supreme Court and the decision(s) from the United States Supreme Court.
5. A separate index of the record shall be prepared which identifies each volume of the record, the category of the proceedings contained in the volume, and the general content of the record contained in the volume, including number of pages. For example, the index will read: Volume 1, Circuit Court -- Trial, clerk's record pages 1-175; and Volume 2, Circuit Court -- Trial, trial transcript pages 1-200. The index shall be served on the opposing party. See attached sample index.
6. In referencing this record in any pleadings or briefs filed in this case, the parties shall make specific reference by tab number, volume number and page number.

Done this 27th day of April, 1999.

/s/ W. Harold Albritton  
CHIEF UNITED STATES DISTRICT JUDGE

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE

/s/ Ira De Ment  
UNITED STATES DISTRICT JUDGE

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**SAMPLE FORMATS**

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

JOHN DOE, )  
 )  
Petitioner, )  
 )  
v. ) CIVIL ACTION NO. 98-A-000-S  
 )  
 )  
JOE HOPPER, Commissioner, )  
Alabama Department of Corrections, )  
 )  
Respondent. )

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Alabama Department of Corrections, )  
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