

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

**U.S. DISTRICT COURT  
FILED AT WHEELING, WV  
APR 10 2013  
NORTHERN DISTRICT OF WV  
OFFICE OF THE CLERK**

**IN RE: ASSIGNMENT OF CIVIL  
AND CRIMINAL MATTERS**

**Misc. No.: 5:00-MC-10**

**SECOND AMENDED STANDING ORDER NO. 1**

To maintain the district-wide ratio among judges, all present and future civil and criminal actions on the dockets of this Court will be assigned by the Clerk's Office in the following manner:

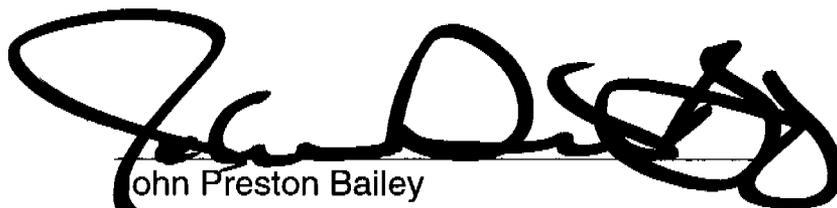
1. All pending and future civil and criminal actions, except for those cases identified in paragraphs 5 through 8 below, in which the cause of action arises in a county assigned to the Clarksburg point of holding court will be placed upon the docket of Judge Irene M. Keeley.
2. All pending and future civil and criminal actions, except for those cases identified in paragraphs 5 through 8 below, in which the cause of action arises in a county assigned to the Elkins point of holding court will be placed upon the docket of Judge John Preston Bailey.
3. All pending and future civil and criminal actions, except for those cases identified in paragraphs 5 through 8 below, in which the cause of action arises in a county

assigned to the Martinsburg point of holding court will be placed upon the docket of Judge Gina M. Groh.

4. All pending and future civil and criminal actions, except for those cases identified in paragraphs 5 through 8 below, in which the cause of action arises in a county assigned to the Wheeling point of holding court will be placed upon the docket of Judge John Preston Bailey or Judge Frederick P. Stamp, Jr. on a rotation basis.
5. All prisoner cases, including those under 28 U.S.C. § 2241, 28 U.S.C. §2254, 42 U.S.C. § 1983, *Bivens v. Six Unknown Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971), and Federal Tort Claims Act, 28 U.S.C. § 1346, and all other prisoner actions will be assigned to the district judges and full-time magistrate judges on a rotation basis and will be given a case number reflecting the assigned district judge's location.
6. Social security cases will be assigned to the district judges and full-time magistrate judges on a rotation basis. All social security cases will be given a case number reflecting the assigned district judge's location.
7. All criminal cases from the maximum security facilities of the United States Prison-Hazleton in Preston County, West Virginia, shall be brought before the grand juries held in Clarksburg, and shall be assigned a Clarksburg case number and placed upon the docket of Judge Irene M. Keeley.
8. If conflicts or unusual circumstances arise in any civil or criminal matter assigned

to any judges of this district, the district judges, upon consultation and conference, will determine to which judge's docket the matter should be reassigned and will inform the Clerk's Office accordingly.

**ORDERED**, this 10<sup>th</sup> day of April, 2013, by the United States District Court for the Northern District of West Virginia.

A large, stylized handwritten signature in black ink, appearing to read 'John Preston Bailey', is written over a horizontal line.

John Preston Bailey  
Chief Judge  
United States District Court  
Northern District of West Virginia