

**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 CASES  
TO MAGISTRATE JUDGE**

**Misc. No.: 5:00-MC-11**

**THIRD AMENDED STANDING ORDER NO. 2**

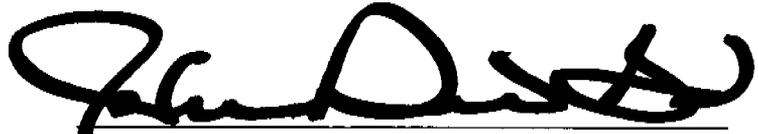
When a district judge deems it appropriate to assign cases to a magistrate judge, the assignment shall be as follows:

1. All Clarksburg point of holding court pending and future civil and criminal cases, except for those cases identified in paragraphs 5 through 8 below, shall be assigned to Magistrate Judge John S. Kaull.
2. All Elkins point of holding court pending and future civil and criminal cases, except for those cases identified in paragraphs 5 through 8 below, shall be assigned to Magistrate Judge John S. Kaull.
3. All Martinsburg point of holding court pending and future civil and criminal cases, except for those cases identified in paragraphs 5 through 8 below, shall be assigned to Magistrate Judge David J. Joel.
4. All Wheeling point of holding court pending and future civil and criminal cases,

except for those cases identified in paragraphs 5 through 8 below, shall be assigned to Magistrate Judge James E. Seibert.

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 the 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 magistrate judges on a rotation basis and 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 Keeley.
8. If conflicts or unusual circumstances arise in any matter assigned to any magistrate judge, the district judge to whom the case is assigned or, in his or her absence, the chief judge will evaluate the assignment and, if necessary, reassign the matter to the appropriate magistrate judge and advise 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 handwritten signature in black ink, appearing to read "John Preston Bailey", written over a horizontal line.

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