

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

In the matter of

NOTIFICATION OF PRISONER IN
CUSTODY

MISCELLANEOUS
GENERAL ORDER
NO. 08-05

IT IS HEREBY ORDERED THAT:

The following procedures for notification of a prisoner in custody are hereby adopted effective immediately. Miscellaneous General Order 599 is hereby abrogated.

1. Duties of Arresting Federal Law Enforcement Agencies.

(a) Each arresting Federal law enforcement agency must promptly notify the Clerk of the Court by email to akdcmc@akd.uscourts.gov, or such other e-mail address(es) as the Clerk of the Court may designate, of the following:

- (1) Subject's name;
- (2) Subject's date of birth;
- (3) Case Number or Probable Cause arrest;
- (4) Date, time and place of arrest;
- (5) Present physical location of the subject;
- (6) Need for an interpreter and, if so, what language;

The arresting agency must also copy the United States Probation and Pretrial Services Office on this e-mail at akpml_cmecf@akp.uscourts.gov. In the absence of email access, the arresting agency may send this information by facsimile to the clerk's office at 907-677-6181 and to the Probation and Pretrial Services Office at 907-271-3060. Immediately after sending the facsimile, the arresting agency must call the Clerk of Court, at 907-677-6145 and advise that a Notice of Arrest has been sent by facsimile.

(b) If the arrest occurs after normal working hours or on a weekend or holiday, notification to the Clerk of the Court as described in subsection (a) must occur no later than 11:00 o'clock a.m. the next workday and the arresting agency must provide immediate telephonic notification to the Pre-Trial Services duty officer.

(c) (1) After notification of the hearing date and time, the arresting agency is responsible for taking the prisoner before the nearest available United States Magistrate Judge without unnecessary delay in accordance with Rule 5(a) of the Federal Rules of Criminal Procedure.

(2) The United States Marshal's Service will take custody of the prisoner if the United States Magistrate Judge remands the prisoner to the custody of the United States Marshal following the initial appearance.

(d) If the defendant is not yet lodged at the jail, federal law enforcement agencies, including the United States Marshal's Service, must make the prisoner available immediately upon request by the Pre-Trial Services officer regardless of whether the prisoner has appeared before a United States Magistrate Judge, or other judicial officer.

2. Duties of the Clerk of the Court.

(a) Upon receipt of the notification from the arresting agency, the Clerk of the Court will schedule a hearing and notify by e-mail the agencies in the notification group of the date, time, courtroom in which the hearing will be held, and judicial officer assigned.

(b) The notification group will include: United States Marshal's Service; United States Probation and Pre-Trial Services; United States Attorney; Federal Public Defender; and any other person or agency as may be from time to time so designated by the Chief Judge.

(c) It is the responsibility of each agency in the notification group to provide the Clerk of the Court with the e-mail address(es) to which notification is to be sent. The Clerk of the Court must be forthwith notified of any change to the recipient's e-mail address(es).

DATED at Anchorage, Alaska this 6th day of June, 2008.

s/ John W. Sedwick
JOHN W. SEDWICK, Chief Judge
United States District Court

s/ Ralph R. Beistline
RALPH R. BEISTLINE, Judge
United States District Court

s/ Timothy M. Burgess
TIMOTHY M. BURGESS, Judge
United States District Court

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