

**UNITED STATES COURT OF APPEALS**  
**FOR THE TENTH CIRCUIT**

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IN RE: PROCEDURES FOR THE  
MANAGEMENT OF DEATH  
PENALTY MATTERS.

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ORDER

Filed April 8, 1999

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Before **SEYMOUR**, Chief Judge.

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To process and consider capital cases in the most effective and efficient manner, the court adopts the following procedures:

1. Upon receipt of the docketing statement in capital cases arising under 28 U.S.C. §2254 or any federal criminal statute, the Clerk shall enter a case management order directing the parties to schedule a video or phone conference with the chief deputy clerk or other designated court representative. Lead counsel for both parties must be available for the conference.

2. At the designated time, counsel and the court shall address matters related to issues to be appealed, page limitations, record issues, and any other procedural matters which the parties believe are significant in the appeal. At the time of the conference, counsel shall be

prepared to discuss and adopt a briefing schedule. In addition, where appropriate, the court may address issues regarding issuance of a certificate of appealability.

3. The court will issue a scheduling order following the conference. In that order, the court will set all appropriate deadlines. Motions to amend those deadlines are discouraged and the court will deviate from the scheduling order only under very extreme circumstances. These procedures shall be effective as of the date of this order.

Entered for the Court

PATRICK FISHER, Clerk of Court