

Judge Heil's Criminal Guidelines

I. Hearings:

- a) All counsel, including out of state counsel, are required to attend all criminal hearings *in person*.
- b) Pretrial Conferences are typically set on a pretrial docket and are typically heard in case number order. If a lengthy hearing (more than 20 minutes) is anticipated or the Court wishes to hear pending motions, the pretrial conference may be moved to a separate date and/or time.
- c) Counsel are encouraged to appear 10-15 minutes early for any hearing.

II. Joint Status Report Regarding Production of Discovery:

- a. The Joint Status Report should be filed in CM/ECF as a "Notice (Other)."
- b. The Joint Status Report should provide a substantive update on the status of discovery including, but not limited to, any materials yet to be produced, any materials requested but not produced, the reason any materials have not been produced and the anticipated timing of any such production. If a discovery motion is anticipated, this information should be included in the Joint Status Report.
- c. If a change of plea hearing is already set, a Joint Status Report is unnecessary. If the case is ready for change of plea, counsel shall jointly file notice of the forthcoming change of plea request on or before the date the Joint Status Report is due.
- d. Failing to file the Joint Status Report without any notice to the Court is unacceptable.

III. Motions to Accelerate/Extend/Reset Any Deadline:

- a) Every motion must be clearly titled as unopposed, agreed or opposed. Further, pursuant to Local Criminal Rule 47-4, every motion *must* contain a statement outlining each party's position, including any co-defendants, with respect to the requested relief.
- b) A proposed order is not required.
- c) If the request implicates the trial date, see Section IV.

IV. Motions to Continue the Scheduling Order/Trial

- a) The Motion must be clearly titled as unopposed, agreed or opposed. Further, pursuant to Local Criminal Rule 47-7, every motion *must* contain a statement outlining each party's position, including any co-defendants, with respect to the requested relief.
- b) A proposed order is not required.

- c) Unless the case has been declared complex, a waiver of speedy trial is required from each defendant. The waiver must be submitted on the Court's CR-06 form, which can be downloaded at this link: [Required Waiver of Speedy Trial Form](#).
- d) The Waiver of Speedy Trial must be signed by the Defendant and Defendant's counsel.
- e) Ideally, the Waiver of Speedy Trial should be filed contemporaneously with the Motion to Continue Trial. The Motion to Continue Trial will not be ruled on until a correct, executed Waiver of Speedy Trial is filed.
- f) The Waiver of Speedy Trial must specifically reference the excludable dates. For example, if the Defendant is set on the September 20, 2021 trial docket and is requesting a continuance to the October 18, 2021 trial docket, the Waiver of Speedy Trial shall state, Defendant specifically requests that all delays from a continuance of his/her jury trial from September 20, 2021 to October 8, 2021 be excluded from computation under the Speedy Trial Act pursuant to 18 U.S.C. § 3161, et seq."

g) Judge Heil's criminal trial dates are as follows:

February 26, 2024
March 18, 2024
March 25, 2024
April 1, 2024
April 15, 2024
May 20, 2024
June 17, 2024
July 15, 2024
August 19, 2024
September 16, 2024
October 21, 2024
November 12, 2024
December 16, 2024
January 21, 2025
February 18, 2025
March 17, 2025
April 21, 2025
May 19, 2025
June 16, 2025
July 21, 2025

- h) If you are unable to file a signed Waiver of Speedy Trial prior to the pretrial conference, the Motion to Continue Trial will be addressed at the pretrial conference.
- i) Defense counsel are expected to timely meet with their clients in advance of the pretrial conference. The Court discourages the use of pretrial conferences simply to obtain Waivers of Speedy Trial.
- j) During trial, physical evidence should be handled with disposable gloves in the courtroom. If physical evidence to be presented involves biological matter or potential biohazards,

advance notice should be given to the Court's courtroom deputy—preferably at the pretrial conference, but no later than the day exhibit lists are due.

V. Changes of Plea:

- a) When a defendant is ready to plead guilty, notify Pam_Lynn@oknd.uscourts.gov by email and include any dates that are good for the hearing and any dates to avoid.
- b) In most cases, the Change of Plea hearing will be referred to the criminal duty Magistrate Judge and set on their court schedule.
- c) The following plea documents must be emailed to Pam_Lynn@oknd.uscourts.gov at least three (3) business days prior to the Change of Plea hearing:
 - i. [Petition to Enter Plea of Guilty](#);
 - ii. Plea Agreement and Plea Agreement Supplement (if applicable).
- d) Absent good cause, any superseding information must be filed at least three (3) business days prior to the Change of Plea hearing.