

RULE 147

(As Amended February 28, 2005)

MOTIONS AND MEMORANDA OF LAW

(a) Submissions of Motions and Supporting Memoranda

Every motion shall incorporate a memorandum of law, including citations and supporting authorities. Affidavits and other documents setting forth or evidencing facts on which the motion is based shall be filed with the motion.

(b) Objections to Motions

Unless within twenty-one (21) days after the filing of a motion the opposing party files written objection thereto, incorporating a memorandum of law, the opposing party shall be deemed to have waived objection.

Any objections shall be filed in duplicate and shall include citations and supporting authorities and affidavits and other documents setting forth or evidencing facts on which the objection is based. The deemed waiver imposed herein shall not apply to motions filed during trial.

(c) Reply Memorandum

Within eleven (11) days of the filing of any objection to a motion, the moving party may file a reply memorandum, which shall not exceed 7 pages in length and which shall be strictly confined to replying to new matter raised in the objection or opposing memorandum.

(d) Calculation of Time for Response

The time periods for objection to motions and for filing reply memoranda shall be computed from the filing date of the motion or objection. F.R.Crim.P. 45(e) shall not apply and therefore no additional days will be added for the possibility that service may have been accomplished by mail.

(e) Form and Length

All memoranda shall be typed, double-spaced on 8-1/2 x 11 inch paper or printed. All pages shall be numbered at the bottom. Except by prior leave of Court, memorandum of law in support of or in opposition to a dispositive motion or a motion to suppress evidence shall not exceed 20 pages. Memoranda in support and in opposition to all other motions shall not exceed 10 pages.

(f) Written Submissions and Oral Argument

All motions shall be decided by the Court without oral argument unless otherwise ordered by the Court on its own motion or, in its discretion, upon request of counsel.