## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLI

## ORDER ADOPTING LOCAL RULE OF CRIMINAL PRACTICE

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On December 5, 2017, proposed Local Criminal Rule 16.2, Limitations Concerning Criminal Discover, was noticed to the public with an opportunity to comment pursuant to Fed R. Crim. P. 57. After review of the comments received, the Court found that all proposed rule should be approved with the addition of the following two sentences at the end of paragraph numbered 5:

In cases involving digitally downloaded discovery files, in lieu of physical destruction defense counsel may certify that such files have been deleted from any server, PC, hard drive, or other electronic storage device to which they have been downloaded and that those files have been emptied from the device's recycle bin. Provided further, defense counsel shall be permitted to maintain a file copy in their case file which shall continue to be subject to this Rule. The Court has taken notice that Local Civil Rule 105.2 contains a typographical error, and

IT IS THEREFORE ORDERED that Local Criminal Rule 16.2 as modified above is hereby approved.

IT IS FURTHER ORDERED that the Clerk of Court shall alert the public of this order through prominent display on the Court's website and shall provide notice of the local rule amendments to this Court's bar though the CM/ECF electronic noticing system.

IT IS FURTHER ORDERED that this order shall be effective April 16, 2018.

This the 38th day of March, 2018.

Thomas D. Schroeder, Chief Judge United States District Court

William L. Osteen, Jr., Judge United States District Court

Catherine C. Eagles, Judge United States District Court

Loretta C. Biggs, Judge United States District Court

M. Carlton Tilley, Jr., Senior Judge United States District Court