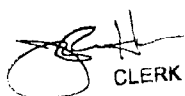


**FILED**

APR 16 2009

  
CLERK

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA

01/06/2009

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IN RE: ISSUANCE OF SUBPOENAS            )  
ON BEHALF OF THE FEDERAL                )        STANDING ORDER  
PUBLIC DEFENDER                            )

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Upon good cause appearing, it is hereby

ORDERED that the Clerk shall issue subpoenas upon oral request and submission of the prepared subpoenas by federal public defenders. The request for **within-district** subpoenas shall be made at least **14 calendar days** prior to the hearing or trial. The cost of process, fees, and expenses of the witness(es) subpoenaed shall be paid as witness(es) subpoenaed on behalf of the government. The United States Marshal shall provide such subpoenaed witness(es) advance funds, if requested, for the purpose of travel and subsistence within the District of South Dakota.

IT IS FURTHER ORDERED that for any subpoenas that must be served **outside** the District of South Dakota, the Federal Public Defender shall file a written motion, with a proposed order, at least **21 calendar days** prior to the hearing or trial. The requested subpoenas shall be attached to the written motion. The Clerk shall not issue any out-of-district subpoenas unless ordered to do so by the court. Witness(es) who live outside the District of South Dakota may go the nearest office of the United States Marshal to request an advance for travel and subsistence.

IT IS FURTHER ORDERED that the Clerk shall file the returned subpoenas under seal unless otherwise ordered by the court.

IT IS FURTHER ORDERED that the federal public defenders shall use their best efforts not to cause a witness to be required to appear until the day the testimony is likely to be given.

Dated January 6, 2009.

BY THE COURT:

*/s/ Karen E. Schreier*

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KAREN E. SCHREIER  
CHIEF JUDGE