United States District Court

DISTRICT OF SOUTH DAKOTA

LR 47.1 MOTIONS

A. Discovery Motions. Before filing a discovery motion, the certification required under D.S.D. Crim. LR 16.1 must be met.

B. Motions to Seal. Any motion seeking the sealing of pleadings, motions, exhibits, or other documents to be filed in the court record must include (1) proposed reasons **supported** by specific factual representations to justify the sealing, and (2) an explanation why alternatives to sealing would not provide sufficient protection. A motion to seal and the documents to which the motion refers must be filed consistent with the CM/ECF User Manual and Administrative Procedures found at www.sdd.uscourts.gov.

C. Required Written Brief. With every motion raising a question of law, except oral motions made during a hearing or trial, the movant must serve and file a brief containing the movant's legal arguments, the authorities in support thereof, and the Federal Rule of Criminal **Procedure** on which the movant relies. Motions in limine and supporting arguments and authorities may be filed as one document. On or before 7 calendar days after service of a motion and brief, unless otherwise specifically ordered by the court, all opposing parties must serve and file a responsive brief containing opposing legal arguments and authorities in support thereof. The movant may file a reply brief within 4 calendar days after service of the responsive brief.

1. **Page Limitation on Briefs.** Briefs must not exceed 25 pages excluding table of contents and/or authorities, certificate of service, if applicable, and attachments unless prior approval has been obtained from the court.

2. **Attachments.** A party will submit as exhibits or attachments only those excerpts of the referenced document that are directly germane to the matter under consideration by the court. Excerpted material should be clearly and prominently identified as such. Highlighting or underlining relevant portions is encouraged. Parties who file excerpts of documents as exhibits or attachments under this rule do so without prejudice to their right to timely file additional excerpts. Responding parties may file additional excerpts that they believe are directly germane. The court may require parties to file additional excerpts or the complete document.