

**HON. MICHAEL M. ANELLO  
UNITED STATES DISTRICT JUDGE  
CRIMINAL CHAMBERS RULES**

Courtroom Deputy Patricia Dela Cruz  
(619) 557-2921

Edward J. Schwartz United States Courthouse  
Courtroom 3D

All matters before Judge Anello will be conducted in accordance with the following practices. Except as otherwise provided herein, or as specifically ordered by the Court, all parties are expected to comply strictly with the Local Rules of the Southern District of California and the Federal Rules of Criminal Procedure.

**I. CALENDAR**

Criminal matters are heard on Mondays, beginning at 9:00 a.m. and 2:00 p.m., unless otherwise scheduled by the Court. A party seeking a continuance of a hearing must notify Judge Anello's Courtroom Deputy at the earliest possible time. Please be advised that continuance requests should be made prior to the scheduled hearing so that the matter may be taken off calendar.

**II. MOTIONS**

*Briefing Schedule*

All parties shall adhere strictly to Criminal Local Rule 47.1, which provides that **all motions must be filed no later than fourteen (14) days prior to the date for which the motion is noticed** unless the Court, by order and for good cause only, shortens that time. Motions to shorten time are disfavored due to the difficulty that untimely filing creates for both the opposing party, to prepare and file a response, and the Court, to review the parties' submissions and prepare for hearing.

*Reply Briefs and Other Supplemental Documents*

There is no provision for reply briefs in Local Rule 47.1 and the briefing schedule set forth by the rule does not accommodate the filing of any supplemental documents prior to a scheduled motion hearing. If a party wishes to file a reply brief or other supplemental document in support of, or opposition to, a pending motion, the party must seek leave of court to do so. Leave will not be granted absent good cause and **no supplemental filings will be accepted less than seven (7) days prior to the scheduled motion hearing.**

### III. SENTENCING DOCUMENTS

All parties must adhere strictly to Criminal Local Rule 32.1(a)(9), which provides that completed sentencing summary charts must be filed no later than seven (7) days prior to a scheduled sentencing hearing.

### IV. COURTESY COPIES

Unless otherwise ordered by the Court, for any document which exceeds twenty (20) pages in length (including attachments and exhibits), the filing party must deliver a courtesy copy directly to Chambers within 24 hours after filing. Please be advised that expeditious delivery is particularly important when a party has filed a lengthy sentencing document in an untimely manner.

### V. TRIAL PROCEDURES

- A. Trial Briefs: The parties must file trial briefs on or before the Thursday prior to the date of trial. The parties should consult Criminal Local Rule 23.1 regarding proper form and content.
- B. Jury Instructions: The parties must file proposed jury instructions on or before the Thursday prior to the date of trial, unless otherwise directed by the Court. The Court prefers to use the Model Jury Instructions for the Ninth Circuit whenever possible. The parties should consult Criminal Local Rule 30.1 regarding proper form and content. **The parties should simultaneously email an electronic copy (Microsoft Word or Word Perfect format) to Judge Anello's e-file email address, [efile\\_anello@casd.uscourts.gov](mailto:efile_anello@casd.uscourts.gov).**
- C. Trial Schedule: In general, criminal trials are scheduled from 9:00 a.m. to 4:00 p.m., beginning on Tuesdays, including a lunch recess from approximately 12:00 noon to 1:00 p.m., and morning and afternoon breaks of approximately 15 minutes each. The first day of trial, attorneys should expect to appear at 8:30 a.m. for a final review of trial procedures and to resolve any remaining issues. The Court will notify the parties of deviations from this schedule, and when possible will attempt to accommodate jurors, witnesses, and counsel, should conflicts arise.

- D. Use of Demonstratives: Any party who intends to use a demonstrative such as a PowerPoint presentation, poster boards, etc., during opening statements must disclose their intention to the opposing party on or before the Thursday prior to the date of trial. The parties must meet and confer prior to the first day of trial in order to resolve any objections or other issues. Counsel should contact Judge Anello's Courtroom Deputy in order to make any necessary technological or logistical arrangements in advance of trial.
- E. Other Practice and Procedures: In advance of trial, Judge Anello's Courtroom Deputy will provide counsel with handouts regarding the method used for jury selection, voir dire, and other relevant courtroom procedures.