

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY**

GENERAL ORDER NO. 19-07

CASE ASSIGNMENT AND RECUSAL ORDER

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All active and senior district judges of this Court having conferred and agreed, it is hereby

ORDERED that, effective September 1, 2019, all newly-filed cases shall be assigned and/or reassigned in the following manner:

1. (Social Security Cases) All social security cases, regardless of the docket on which they are filed, shall be randomly and equally assigned from the pool of all district judges, including senior judges, with the exception of United States Senior District Judge William O. Bertelsman. Should the judge assigned to the case recuse, the matter shall be reassigned by random draw to another judge from the pool of all active and senior district judges, except Judge Bertelsman.

2. (Death Penalty Cases) All death penalty cases shall be assigned as outlined in General Order No. 18-13, which is incorporated herein by reference.

3. (28 U.S.C. § 2254 Petitions) All petitions seeking a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, regardless of the docket on which they are filed, shall be randomly and equally assigned from the pool of all active and senior district judges. Should the judge assigned to the case recuse, the matter shall be reassigned by random draw to another judge from the pool of all active and senior district judges.

4. (Pro Se and Prisoner Cases) All civil actions filed by a party or parties in a pro se capacity, including prisoners and others in custody not seeking relief pursuant to 28 U.S.C. §§ 2254 or 2255, regardless of the docket on which they are filed, shall be randomly and equally assigned from the pool of all active and senior district judges, with the exception of United States District Judges Robert E. Wier and Claria H. Boom. Should the judge assigned to the case recuse, the matter shall be reassigned by random draw to another judge from the pool of all active and senior district judges, except Judge Wier and Judge Boom.

5. Subject to paragraphs 1 through 4 above, all remaining cases shall be assigned and/or reassigned in the following manner:

A. Northern Division at Ashland

Civil cases are assigned to United States Senior District Judge Henry R. Wilhoit, Jr. (100%). Should Judge Wilhoit recuse, the matter shall be reassigned to United States District Judge David L. Bunning.

Criminal cases are assigned to Judge Bunning (100%).

B. Northern Division at Covington

Civil cases are assigned to Judge Bertelsman (50%) and Judge Bunning (50%). Should Judge Bertelsman recuse, the matter shall be reassigned to Judge Bunning. Should Judge Bunning recuse, the matter shall be reassigned to Judge Bertelsman.

Criminal cases are assigned to Judge Bunning (90%) and United States Chief District Judge Reeves (10%). Should Judge Bunning recuse, the matter shall be reassigned to Judge Reeves. Should Judge Reeves recuse, the matter shall be reassigned to Judge Bunning.

C. Central Division at Frankfort

Civil cases are assigned to United States District Gregory F. Van Tatenhove. (100%). Should Judge Van Tatenhove recuse, the matter shall be reassigned to United States District Judge Karen K. Caldwell.

Criminal cases are assigned to Judge Van Tatenhove (100%). Should Judge Van Tatenhove recuse, the matter shall be assigned to Judge Caldwell.

D. Central Division at Lexington

Civil cases are assigned to Judge Reeves (30%), United States Senior District Judge Joseph M. Hood (20%), Judge Caldwell (20%), Judge Van Tatenhove (10%), Judge Wier (10%), and Judge Boom (10%). Should the judge assigned to the case recuse, the matter shall be reassigned by random draw to another judge assigned to accept a civil case on this docket.

Criminal cases are assigned to Judge Reeves (35%), Judge Caldwell (35%), Judge Hood (15%), and Judge Van Tatenhove (15%). Should the judge assigned to the case recuse, the matter shall be reassigned by random draw to another judge assigned to accept a criminal case on this docket.

E. Southern Division at London

Civil cases are assigned to Judge Caldwell (25%), Judge Wier (50%), and Judge Boom (25%). Should the judge assigned to the case recuse, the matter shall be reassigned by random draw to another judge assigned to accept a civil case on this docket.

Criminal cases are assigned to Judge Wier (50%) and Judge Boom (50%). Should Judge Wier recuse, the matter shall be reassigned to Judge Boom. Should Judge Boom recuse, the matter shall be reassigned to Judge Wier.

F. Southern Division at Pikeville

Civil cases are assigned to Judge Bunning (50%) and Judge Wier (50%). Should Judge Bunning recuse, the matter shall be reassigned to Judge Wier. Should Judge Wier recuse, the matter shall be reassigned to Judge Bunning.

Criminal cases are assigned to Judge Wier (100%).

6. Should all judges assigned civil cases on a particular docket recuse, the matter shall be referred to Judge Reeves for reassignment to another active or senior district judge willing to accept the assignment.

7. Should all judges assigned criminal cases on a particular docket recuse, the matter shall be referred to Judge Reeves for reassignment to another active or senior district judge willing to accept the assignment.

8. Any active or senior district judge is authorized to reassign a case to another active or senior district judge willing to accept the assignment.

9. If all active and senior district judges recuse from a case or are unwilling or unable to accept the assignment, the matter shall be referred to the Chief Judge of the United States Court of Appeals for the Sixth Circuit for reassignment.

10. Effective September 1, 2019, this Order supersedes General Order No. 18-14.

Dated: August 22, 2019.



A handwritten signature in black ink, appearing to read "Danny C. Reeves".

Danny C. Reeves, Chief Judge
United States District Court
Eastern District of Kentucky