



FILED FOR RECORD
FANNIN COUNTY, TEXAS
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BY NANCY CLARK
DISTRICT CLERK
DEPUTY

336TH JUDICIAL DISTRICT COURT

&

COUNTY COURT AT LAW

STANDING ORDER REGARDNG EXHIBITS

AS ENTERED THE 18TH DAY OF DECEMBER, 2019.

THIS ORDER IS A STANDING ORDER OF THE 336TH DISTRICT COURT AND COUNTY COURT AT LAW OF FANNIN COUNTY, TEXAS, AND APPLIES TO ALL CRIMINAL AND CIVIL CASES. THE COURT RESERVES THE RIGHT TO MODIFY OR CHANGE THIS ORDER. THIS ORDER IS NECESSARY TO ENSURE THAT EXHIBITS ARE SAFE, IN AN APPROPRIATE FORMAT FOR PRESENTATION IN COURT, IN COMPLIANCE WITH THE COURT OF APPEALS' GUIDELINES FOR SUBMISSION, AND THAT EXHIBITS ARE UNIFORMLY MARKED AND FORMATTED FOR LOGICAL AND RECORD PURPOSES.

I. UNIFORM LABELING/EXHIBIT NUMBERING SEQUENCE

All exhibits shall be labeled with an exhibit sticker and sequentially numbered beginning with "Exhibit 1." Letters will only be used when an exhibit has a subpart. *For example, exhibit 1-A, 1-B, 1-C, etc.* If an exhibit has multiple subparts, the exhibit shall be labeled with a number-letter-number format. *For example, 1-A1, 1-A2, etc.*

If an exhibit has been redacted, the redacted exhibit will be labeled with the appropriate exhibit number. The original, non-redacted exhibit shall be labeled with the exact same exhibit number plus "R" for Record. *For example, Exhibit 1 and Exhibit 1R.*

All labels shall be legibly marked with the appropriate exhibit numbering sequence.

II. DOCUMENTS AND PRINTED PHOTOGRAPHS

Labels should be placed on the lower, right-hand corner of the exhibit unless the label would interfere or cover a portion of the exhibit that is material to the substance of the exhibit. With oversized documents, keep consistency in mind when choosing the location for the label. If there is no blank space available on an exhibit for placement of a label, or if a label would interfere with the substance of the exhibit, place the label on the back of the exhibit.

Documents and printed photographs shall be in an 8.5 x 11 format, unless the document or photograph is an original and cannot reasonably be reproduced in an 8.5 x 11 format, or an 8.5 x 11 format would not be sufficient or reasonable considering the substance of the exhibit. *For example, maps, overhead views, diagrams, etc.*

In the event photographs are submitted electronically on a disc or other storage device and includes more than one picture, each digital image shall be marked with its own exhibit number, treating each photograph as a subpart as listed in paragraph I. above.

III. DIGITAL AUDIO/VIDEO EXHIBITS

The Court does not provide computers or devices to litigants.

All audio and video exhibits shall be submitted in a size and format accepted by the Court of Appeals for record submission. *Uniform Format Manual for Texas Reporters' Records*, By Supreme Court Order dated May 25, 2010, in Misc. Docket No. 10-9077, with amendment dated June 28, 2010, in Misc. Docket No. 10-9113.

Audio exhibits may not exceed 100 MB in any single file. Video files may not exceed 5 GB in any single file. If an audio or video file exceeds these stated size limits, the file shall be divided into separate files, or subparts, and labeled accordingly. *For example, Audio File 1-A, 1-B, 1-C, etc.*

At the time of the signing of this Order, the following formats are accepted by the Court of Appeals for audio/video exhibits: .avi, .wmv, .wav, .mpg, .mid, .asf, .mpeg, .mp1, .mp2, .mp3, .mp4, .m4v, .ogg, .oga, .ogv, .webm. If an exhibit is not in one of the above-referenced formats, the sponsoring party shall be responsible for converting the exhibit to an acceptable format. It is the duty of the sponsoring party to be familiar with the formats accepted by the Court of Appeals.

In the event a case is on appeal and the Court of Appeals cannot open an exhibit that was made a part of the Reporter's Record, the sponsoring party that offered the exhibit will be responsible for providing to the court reporter the exhibit in an acceptable format where the Court of Appeals can then access it.

Further, only audio or video files offered as an exhibit should be included on the offered media device (disk, drive, etc.). Electronic files not intending to be offered, should not be included.

All parties who intend to offer digital evidence shall ensure that the evidence can be published for the jury or the Court in the courtroom **prior** to trial.

IV. OTHER PHYSICAL EXHIBITS

For objects other than paper, labels shall be placed where they can easily be seen. For objects where affixing a label is impossible, affix the label to a string tag and tie it on the object. Small items may be placed in an envelope with an exhibit label affixed to the front, lower right-hand corner of the envelope.

For large or bulky objects, please arrange with the Court prior to trial.

Proper care should be taken when offering or using exhibits which may contain a biohazard or a controlled or illegal substance. Parties should alert the Court to these types of exhibits prior to using or offering them.

V. FIREARMS/WEAPONS

All firearms used as exhibits shall be unloaded with the cylinder or action open, no magazines inserted, and a locking, firearm safety cord installed. All firearms, as well as other dangerous objects, shall be physically incapacitated and in a condition where they cannot be used to inflict harm.

When handling firearms, attorneys and witnesses shall not point them at any person or have any finger in the trigger well at any time. If an attorney intends to use a firearm in a demonstration by a witness in regard to how the firearm functions, or was used or held during the commission of an alleged offense, prior approval from the Court shall be obtained by the attorney.

A firearm together with ammunition shall never be given to a witness during testimony unless prior Court approval has been obtained and the witness is an expert witness with respect to firearms and/or ammunition. The jury shall not have access to firearm exhibits together with ammunition exhibits during jury deliberations.

VI. MISCELLANEOUS

Parties are responsible for the care, custody, and control of their own exhibits until that exhibit has been admitted by the Court. Exhibits properly admitted by the Court shall be secured and stored by the court reporter. Parties will not be permitted to remove admitted exhibits from the courtroom without approval from the Court.

Every effort should be made to affix exhibit labels to the exhibit prior to offering them into evidence.

VII. ENFORCEMENT

Any exhibit(s) offered that do not meet the requirements of this standing order are subject to exclusion until the exhibit is properly labeled, marked, in the appropriate format, and made safe, if applicable.

SO ORDERED AND SIGNED ON THIS THE 18TH DAY OF DECEMBER, 2019.

 12-18-19

Laurine J. Blake
Presiding Judge, 336th District Court
Fannin County, Texas



Charles Butler
Presiding Judge, County Court at Law
Fannin County, Texas