

**JAMES, FRANKS HEARINGS IN CRIMINAL CASES
MARKMAN HEARINGS IN CIVIL CASES
DAUBERT HEARINGS BOTH CIVIL AND CRIMINAL**

Modifications have been made in the way the clerk's office will handle matters which request hearings for Markman, Daubert, James and Franks issue. The motion will be for determination of the issues arising under these cases and not just a hearing. This change has been made so that the motion remains on the court's pending motions list after the hearing has been held if the court has not ruled on the issues.

The motions will now appear on the motion drop down list as:

- Franks Issues (and Request for Hearing)
- James Issues (and Request for Hearing)
- Daubert Issues (and Request for Hearing)
- Markman Issues (and Request for Hearing)

The motion will appear on the docket like this:

Docket Text: Final Text

MOTION to Determine James Issues and Request for Hearing filed by Murray Mole. (rks)

Chambers could then set a hearing.

Once the hearing is held, the court's order would grant the motion for *determination* of the issue and can also grant or deny the motion to admit the evidence. The docket entry action of grant or deny may be awkward but appears to be the best available option.

The Order will appear on the docket like this:

Docket Text: Final Text

ORDER granting [292] Motion to Determine James Issues as to Murray Mole (2). Signed by Judge Dale A. Kimball on 06/27/12. (rks)

Docket Text: Final Text

ORDER denying [292] Motion to Determine James Issues as to Murray Mole (2). Signed by Judge Dale A. Kimball on 06/27/12. (rks)