


MEMORANDUM

United States District Court

DATE: December 1, 2016

TO: Members of the Press/Media

FROM: Debbie Hackett 
Clerk, United States District Court

RE: *Edward Braggs. et al v. Jefferson Dunn, et al*
2:04-cv-00601-MHT-TFM
Trial beginning Monday, December 5, 2016

This memo is to notify you of procedures for all Press/Media interested in attending the *Edward Braggs. et al v. Jefferson Dunn, et al*, 2:04-cv-00601-MHT-TFM, trial which will begin on December 5, 2016, at the Frank M. Johnson Jr. Courthouse, Courtroom 2FMJ, in Montgomery, Alabama.

The rules and procedures that are attached must be followed and you will be required to sign the acknowledgement. Please bring your press credentials for approval by the U. S. Marshals Service.

Any questions please contact Deputy U. S. Marshal John Thompson at (334) 391-5401.



U.S. Department of Justice

United States Marshals Service

Middle District of Alabama

Montgomery, AL 36104

December 1, 2016

MEMORANDUM TO: Members of the Press/Media

FROM: Thomas Hession
United States Marshal

SUBJECT: *Edward Braggs et. al. v. Jefferson Dunn, et. al.*

The trial of *Braggs et. al. v. Dunn, et. al.* will begin at the Frank M. Johnson Courthouse on December 5, 2016. To ensure the integrity of the Federal Courts certain rules and procedure must be followed by all members of the press/media at all times. Failure to follow these procedures may result in removal from the courthouse and/or contempt of court, and/or possible criminal charges. Please carefully read the following:

1. Chief Judge Watkins has granted a limited exception to Misc. Order No. 3046 (banning certain electronic equipment) for the press for the duration of this trial. However, on entering the courthouse, those devices will only be allowed in the Frank M. Johnson Library on the second floor of the Frank M. Johnson Courthouse located at 15 Lee Street. This library has been made available to the press/media for your use. These devices are not to be utilized or transported anywhere outside The Johnson Library. If you wish to enter Courtroom 2FMJ, you will secure your devices outside of the Frank M. Johnson Courthouse. All devices will be screened upon entry and members of the press/media are subject to be searched when outside the Johnson Library. The Johnson Library will not be secured from public access.

The only exception to this rule is that cell phones may be taken to the snack bar area and/or to the restroom. Do not leave any devices or baggage unattended at any time.

2. Seating in the gallery of Courtroom 2FMJ will be available on a "First Come" basis. Once admitted to the courtroom, you will not be allowed to leave while any witness is testifying on the stand or when the judge is speaking. You may leave or enter the courtroom only during breaks and at other times designated by the Court.
3. No food or drinks will be allowed to be brought into the courthouse. Snacks may be purchased in the snack bar, but only bottled water purchased from the courthouse vending machine will be allowed in the Johnson Library.
4. Press/media personnel will enter and exit the courthouse complex ONLY at the Frank M. Johnson Courthouse located at 15 Lee Street.

5. Exterior of the Courthouse: Press/Media are allowed on the sidewalk at the Frank M. Johnson Courthouse located at 15 Lee Street. Absolutely no media will be allowed on the courthouse steps, and ingress and egress from the courthouse must not be blocked at any time.
6. Absolutely no cameras (still, digital, or video), nor any recording devices of any kind will be allowed in any building at the Frank M. Johnson Court Complex. The only exception is pursuant to the *Order Modifying Policy and Misc. Order No. 3046 with respect to Electronic Devices and Decorum in the Frank M. Johnson Library*. Any attempted video-taping or recording with cellular telephones, laptop computers, tablets, or any other devices is strictly forbidden anywhere within the Frank M. Johnson Complex.

I acknowledge that I have read the above rules and procedures set out by the United States Marshals Service in this memorandum and agree to comply with, and adhere to, the rules and procedures. I understand that by signing this document, I subject myself to being expelled from the courthouse for the duration of the trial, and acknowledge that I may be charged with Contempt of Court and/or possible criminal charges if I violate the rule and procedures stated above.

Signed: _____ Date: _____

Printed Name: _____

Affiliated Media Outlet: _____

RECEIVED

Misc. No. 3046 Modification

2016 DEC -1 P 2:16

Order Modifying Media Policy and Misc. Order No. 3046
With Respect to Electronic Devices and Decorum

The trial of *Edward Braggs, et al. v. Jefferson S. Dunn, et al.*, 2:14-cv-601-MHT, will commence on December 5, 2016, at the Frank M. Johnson, Jr. Courthouse in Montgomery, Alabama. This order is entered to facilitate a fair trial, to protect the security of the court and the public, to preserve the dignity of the proceedings, and to allow the media¹ reasonable access. Room 201 on the 2nd Floor of the Frank M. Johnson, Jr. Courthouse is dedicated for the use of the media during these trial proceedings. There will be a live media feed of the trial in Room 201.

As an exception to Civil Misc. No. 3046, this Order authorizes the media to enter the courthouse through security and proceed directly to Room 201 with a cellular telephone, hand-held texting device, Pocket PC, IPAD, laptop computer, and similar electronic devices, including those with photographic, video or audio recording capabilities, and to use those devices in Room 201. This equipment may not be possessed or used anywhere else in the courthouse, and no recordings, video or photographs of the trial proceedings, either live or from the video feed or audio feed, shall be allowed to be made or broadcast.

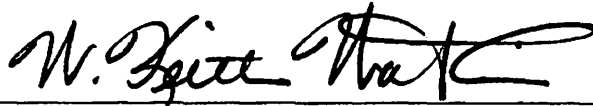
No food or beverage, except bottled water, shall be allowed in Room 201 at any time.

¹ Credentialed by the U.S. Marshals Service.

Any violation of this Order is an unlawful interference with the proceedings of the court, and may be the basis for a citation for contempt of court and an order imposing monetary or other sanctions as provided by law.

This Order applies only in the event a member of the media wishes to possess or use the electronic equipment as defined herein inside the courthouse. This Order shall expire upon the conclusion of *Edward Braggs, et al. v. Jefferson S. Dunn, et al.* proceedings requiring the use of Room 201.

Entered this 1st day of December, 2016.

A handwritten signature in black ink, appearing to read "W. Keith Watkins", written over a horizontal line.

Chief District Judge
Middle District of Alabama

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA

Civil Misc. No. 3046

ORDER

**PHOTOGRAPHY, BROADCASTING, RECORDING
AND ELECTRONIC DEVICES¹**

RECEIVED
2009 OCT -6 P 1:06
TAMM HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

The taking of photographs and operation of audio or video recording in the courtroom or its environs, and radio, television or other broadcasting from the courtroom during the progress or in connection with judicial proceedings, including proceedings before a United States Magistrate, Bankruptcy Judge or Administrative Law Judge, whether or not court is in session, is prohibited. The courtroom and its environs, as such terms are used in this order, shall include any portion of the United States courthouse buildings and the exterior steps to such buildings, and parking areas adjacent to such buildings if such areas are owned by the United States Government. Where the interests of justice or public safety may so require, the Court may direct the marshal to extend the environs of the courtroom, as such term is contemplated in this order, to the curb or edge of the public streets or thoroughfares adjacent to such buildings if such areas are owned by the United States Government. In exceptional situations, at the request of the United States Marshal or United States Attorney, the court may direct limitations on photography and broadcasting to maintain the secrecy of grand jury proceedings, to protect jurors and witnesses, and to further the interests of justice in unusual,

¹ This Order supersedes the court's Misc. Order filed January 3, 2000, relating to photography, broadcasting and recording, which is hereby VACATED.

hazardous, or inflammatory circumstances. However, attorneys and members of their staffs may possess and use electronic or photographic means for the presentation of evidence. The broadcasting, televising, recording, or photographing of investitive, ceremonial, or naturalization proceedings may be authorized by the presiding judge.

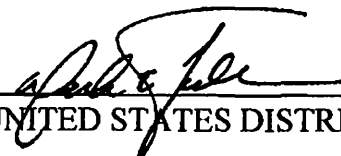
In addition, cellular telephones, paging devices, and laptop computers without photographic, video or audio recording capabilities, may be possessed in the courtroom and its environs by members of the Court family, attorneys, attorneys' staff, law enforcement personnel and the press. Provided, however, that cellular telephones and laptops with photographic capabilities, or video or audio recording capabilities, shall be allowed (1) only to attorneys (not their staff), (2) for communication and access to information only, (3) on the condition that no photographs, or audio or video recording be conducted in the courtroom and its environs. Laptop computers may be used in the courtroom. Cellular telephones must be turned off in the courtroom and the paging devices must be in the silent vibrator mode or turned off. Cellular telephones may be used outside the courtroom and within its environs for communication and access to information only. However, if any cellular telephone or paging device goes off in the courtroom, it will be subject to confiscation. Users will be required to demonstrate to the Court Security Officers that the devices perform their proper function.

It is the purpose of this order to preserve and protect the dignity and solemnity of court proceedings, to promote public safety and the safety of the court and its personnel, and to

facilitate access to court functions by the public and court officers while allowing the progressive use of electronic devices which will aid in the preparation and trial of cases and the hearing and resolution of motions and other court matters. Nothing herein contained shall be construed unreasonably so as to restrict the constitutional rights of any individual. The environs of the courtroom as defined in this order shall not include the office of any elected official within any United States courthouse, nor should it include the office area of any other agency within such buildings where photography, broadcasting, and recording have been invited or authorized by the person in charge thereof with respect to a matter which is unrelated to court proceedings or security.

This order shall remain in effect until further order of the court.

DONE this the 6th day of OCTOBER, 2009.


CHIEF UNITED STATES DISTRICT JUDGE


UNITED STATES DISTRICT JUDGE


UNITED STATES DISTRICT JUDGE