

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 86-42

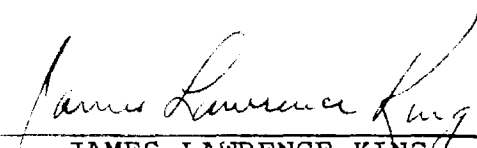
IN RE:

ORDER ASSIGNING CASE TO
HONORABLE ALCEE L. HASTINGS

Upon consideration of the emergency petition for writ of habeas corpus, the memorandum from the Honorable Eugene P. Spellman attached hereto and made a part hereof, and for other good and valid reasons, it is

ORDERED, ADJUDGED and DECREED that the Clerk of this Court be and he is hereby directed to assign the above-styled case to the Honorable Alcee L. Hastings for consideration of the petition for writ of habeas corpus and all other proceedings therein. A credit to Judge Hastings and a debit to Judge C. Clyde Atkins in the assignment ballots under the blind filing system of this court shall be effectuated by the Clerk on the refilling of the assignment boxes.

DONE and ORDERED in chambers at the United States Courthouse, Federal Courthouse Square, Miami, Florida, this 20th day of August 1986.



JAMES LAWRENCE KING
CHIEF U.S. DISTRICT JUDGE
SOUTHERN DISTRICT OF FLORIDA

cc: Honorable Alcee L. Hastings
Honorable Eugene P. Spellman
Honorable C. Clyde Atkins
Robert March, Clerk of Court

memorandum

DATE: August 20, 1986
ATTN OF: Judge Eugene P. Spellman
SUBJECT: Joseph Paterno v. Solomon, etc., et al., Case No. 86-1798-Civ-Atkins
TO: Chief Judge James Lawrence King

This Emergency Petition for Writ of Habeas Corpus was filed yesterday. Because Judge C. Clyde Atkins was out of the district, the Clerk's office re-assigned the action to me.

I have reviewed the petition, and it is my opinion that the case would be more properly heard by Judge Alcee Hastings. As indicated on pages 2 and 11 of the Petition, Judge Hastings is familiar with the case, having had a similar petition filed in his division. Although counsel for the Petitioner claims otherwise, it is my conclusion that although the reasons cited for the writ are different than those given in the writ filed with Judge Hastings, the underlying issue remains the same: to wit, whether the Petitioner is entitled to bond.

Thus, after a review of the petition, I request that you direct the Clerk of the Court to reassign this case under Local Rule 6(A) to Judge Hastings.

Thank you for your prompt assistance.

cc: The Honorable Alcee Hastings