

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE**

<p>FILED CLERK'S OFFICE United States District Court Eastern District of Tennessee Date: <i>Apr 08, 2026, 4:26 pm</i></p>
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IN RE:) LR-26-01
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AMENDMENTS OF LOCAL RULES)
26.2, 83.2, AND 83.10)

ORDER

Pursuant to Federal Rule of Civil Procedure 83 and 28 U.S.C. § 2071, it is **ORDERED** that Local Rules 26.2, 83.2, and 83.10 are **AMENDED** to read as follows:

LR26.2 Sealing of Court Records

(a) Public Record. Except as otherwise provided by statute, rule, or order, all pleadings and other papers of any nature filed with the Court (“Court Records”) shall become a part of the public record of this Court.

(b) Procedure. Court Records or portions thereof shall not be placed under seal unless and except to the extent that the person seeking the sealing thereof shall have first obtained an order of the Court specifying those Court Records, categories of Court Records, or portions thereof which shall be placed under seal; provided however, documents that are the subject of a motion to seal may be temporarily placed in the court record under seal pending a ruling on the motion. Unless the Court orders otherwise, the parties shall file with the Court redacted versions of any Court Record where only a portion thereof is to be placed under seal.

(c) Criminal Matters. The United States Attorney, through his or her assistants, shall present to the Court a proposed order in connection with any indictment, complaint or bill of information that the United States Attorney wishes to file under seal. Unless otherwise ordered by the Court, indictments, complaints, and bills of information filed under seal shall be unsealed after all defendants have made an appearance before the Court.

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LR83.2 Public Statements by Attorneys

(a) Civil Proceedings. No lawyer or law firm associated with a civil action shall, during its investigation or litigation, make or participate in making an extrajudicial statement, other than a quotation from or reference to public records, which a reasonable person would expect to be disseminated by means of public communication if there is a substantial likelihood that such dissemination will materially prejudice the proceeding and if such dissemination relates to:

- (1) evidence regarding the occurrence or transaction involved;

- (2) the character, credibility, or criminal record of a party, witness, or prospective witness;
- (3) the performance or results of any examinations or tests or the refusal or failure of a party to submit to such;
- (4) the attorney's opinion as to the merits of the claims or defenses of a party, except as required by law or administrative rule; and
- (5) any other matter reasonably likely to interfere with a fair trial of the action.

(b) Criminal Proceedings

(1) General Statement. In connection with pending or imminent criminal litigation with which an attorney or a law firm is associated, it is the duty of the attorney or law firm not to release or authorize the release of information or opinion which a reasonable person would expect to be disseminated by means of public communication, if there is a substantial likelihood that such dissemination will materially prejudice the proceeding or otherwise prejudice the due administration of justice.

(2) Information Regarding Grand Jury Proceedings. With respect to a grand jury or other pending investigation of any criminal matter, a lawyer participating in the investigation shall refrain from making any extrajudicial statement, for dissemination by any means of public communication, that goes beyond the public record or that is not necessary to inform the public that the investigation is under way, to describe the general scope of the investigation, to obtain assistance in the apprehension of a suspect, to warn the public of any dangers, or otherwise to aid in the investigation.

(3) Information Regarding Initiation of Prosecution. From the time of arrest, issuance of an arrest warrant or the filing of a complaint, information or indictment in any criminal matter until the commencement of trial or disposition without trial, no lawyer associated with the prosecution or defense shall release or authorize the release of any extrajudicial statement, for dissemination by any means of public communication, relating to that matter and concerning:

- (a) the prior criminal record, including arrest, indictments, or other charges of crime, or the character or reputation of the accused, except that the lawyer may make a factual statement of the accused's name, age, residence, occupation, and family status, and if the accused has not been apprehended, a lawyer associated with the prosecution may release any information necessary to aid in apprehension of the accused or to warn the public of any dangers he or she may present;
- (b) the existence of or contents of any confession, admission, or statement given by the accused, or the refusal or failure of the accused to make any statement;
- (c) the performance of any examinations or tests or the accused's refusal or failure to submit to an examination or test;
- (d) the identity, testimony, or credibility of prospective witnesses, except that the lawyer may announce the identity of the victim if the announcement is not otherwise prohibited by law;
- (e) the possibility of a plea of guilty to the offense charged or a lesser offense;

- or
- (f) any opinion as to the accused's guilt or innocence or as to the merits of the case or the evidence in the case.

The foregoing shall not be construed to preclude the lawyer during this period, in the proper discharge of his or her official or professional obligations, from announcing the facts and circumstances of arrest (including time and place of arrest, resistance, pursuit, and use of weapons), the identity of the investigating and arresting officer or agency, and the length of the investigation; from making an announcement at the time of seizure of any physical evidence other than a confession, admission or statement, which is limited to a description of the evidence seized; from disclosing the nature, substance, or text of the charge, including a brief description of the offense charges; from quoting or referring without comment to public records of the Court in the case; from announcing the scheduling or result of any stage in the judicial process; from requesting assistance in obtaining evidence; or from announcing without further comment that the accused denies the charges made against him or her.

(4) Information During the Trial. During the trial of any criminal matter, including the period of selection of the jury, no lawyer associated with the prosecution or defense shall give or authorize any extrajudicial statement or interview, relating to the trial or the parties or issues in the trial, which a reasonable person would expect to be disseminated by means of public communication, if there is a substantial likelihood that such dissemination will materially prejudice the proceeding. A lawyer is permitted to quote from or refer without comment to public records of the Court in the case.

(5) Information After Completion of a Trial and Prior to Imposition of Sentence. After the completion of a trial or disposition without trial of any criminal matter, and prior to the imposition of sentence, a lawyer associated with the prosecution or defense shall refrain from making or authorizing any extrajudicial statement for dissemination by any means of public communication if there is a substantial likelihood that such dissemination will materially prejudice the proceeding.

(6) Disclosure of Information by Courthouse Personnel. All court personnel, including, among others, marshals, deputy marshals, court clerks, bailiffs, and court reporters, are prohibited from disclosing to any person, without authorization by the Court, information relating to a pending grand jury proceeding or criminal case that is not part of the public records of the Court. The divulgence of information concerning grand jury proceedings, in camera arguments, and hearings held in chambers or otherwise outside the presence of the public is likewise forbidden.

(c) Provisions for Special Orders in Widely Publicized or Sensational Civil and Criminal Cases. In a widely publicized or sensational civil or criminal case, the Court, on motion of either party or its own motion, may issue a special order governing such matters as extrajudicial statements by parties and witnesses; the seating and conduct in the courtroom of spectators and news media representatives; the management and sequestration of jurors and witnesses; and any other matters which the Court may deem appropriate for inclusion in such an order.

(d) Exceptions to This Rule. Nothing in this rule is intended (1) to preclude the formation or application of more restrictive rules relating to the release of information about juvenile or other offenders; (2) to preclude the holding of hearings or the lawful issuance of reports by legislative, administrative, or investigative bodies; or (3) to preclude any lawyer from replying to charges of misconduct that are publicly made against him or her.

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LR83.10 Mandatory and Standard Conditions

(a) The following mandatory conditions shall be included if applicable when terms of supervised release are imposed by this Court in a criminal case:

- (1) The defendant must not commit another federal, state or local crime;
- (2) The defendant must not unlawfully possess a controlled substance;
- (3) The defendant must refrain from any unlawful use of a controlled substance. The defendant must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court. This drug testing condition may be suspended, based on the Court's determination that the defendant poses a low risk of future substance abuse;
- (4) The defendant must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution;
- (5) The defendant must cooperate in the collection of DNA as directed by the probation officer;
- (6) The defendant must comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which the defendant resides, works, is a student, or was convicted of a qualifying offense;
- (7) The defendant must participate in an approved program for domestic violence;
- (8) The defendant must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).

(b) The following mandatory conditions shall be included if applicable when terms of probation are imposed by this Court in a criminal case:

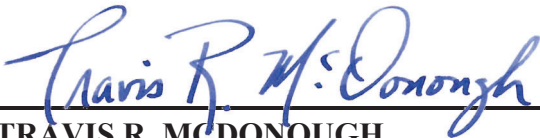
- (1) The defendant must not commit another federal, state or local crime;
 - (2) The defendant must not unlawfully possess a controlled substance;
 - (3) The defendant must refrain from any unlawful use of a controlled substance. The defendant must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court. This drug testing condition may be suspended, based on the Court's determination that the defendant poses a low risk of future substance abuse;
 - (4) The defendant must cooperate in the collection of DNA as directed by the probation officer;
 - (5) The defendant must comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which the defendant resides, works, is a student, or was convicted of a qualifying offense;
 - (6) The defendant must participate in an approved program for domestic violence;
 - (7) The defendant must make restitution in accordance with 18 U.S.C. §§ 2248, 2259, 2264, 2327, 3663, 366A, and 3664;
 - (8) The defendant must pay the assessment imposed in accordance with 18 U.S.C. § 3013;
 - (9) If this judgment imposes a fine, the defendant must pay in accordance with the Schedule of Payments sheet of this judgment;
 - (10) The defendant must notify the court of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay restitution, fines, or special assessments;
 - (11) The defendant must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
- (c) The following standard conditions shall be included when terms of supervised release or probation are imposed by this Court in a criminal case:

- (1) The defendant must report to the probation office in the federal judicial district where the defendant is authorized to reside within 72 hours of release from imprisonment, unless the probation officer instructs the defendant to report to a different probation office or within a different time frame;
- (2) After initially reporting to the probation office, the defendant will receive instructions from the Court or the probation officer about how and when the defendant must report to the probation officer, and the defendant must report to the probation officer as instructed;
- (3) The defendant must not knowingly leave the federal judicial district where the defendant is authorized to reside without first getting permission from the Court or the probation officer;
- (4) The defendant must answer truthfully the questions asked by the defendant's probation officer;
- (5) The defendant must live at a place approved by the probation officer. If the defendant plans to change where the defendant lives or anything about the defendant's living arrangements (such as the people the defendant lives with), the defendant must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, the defendant must notify the probation officer within 72 hours of becoming aware of a change or expected change;
- (6) The defendant must allow the probation officer to visit the defendant at any time at the defendant's home or elsewhere, and the defendant must permit the probation officer to take any items prohibited by the conditions of the defendant's supervision that the probation officer observes in plain view;
- (7) The defendant must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses the defendant from doing so. If the defendant does not have full-time employment, the defendant must try to find full-time employment, unless the probation officer excuses the defendant from doing so. If the defendant plans to change where the defendant works or anything about the defendant's work (such as the defendant's position or job responsibilities), the defendant must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, the defendant must notify the probation officer within 72 hours of becoming aware of a change or expected change;
- (8) The defendant must not communicate or interact with someone the defendant knows is engaged in criminal activity. If the defendant knows someone has been convicted of a felony, the defendant must not knowingly communicate or interact with that person without first getting the permission of the probation officer;

- (9) If the defendant is arrested or questioned by a law enforcement officer, the defendant must notify the probation officer within 72 hours;
- (10) The defendant must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the Court;
- (11) If the probation officer determines that the defendant poses a risk to another person (including an organization), the probation officer may require the defendant to notify the person about the risk and the defendant must comply with that instruction. The probation officer may contact the person and confirm that the defendant has notified the person about the risk;
- (12) The defendant must follow the instructions of the probation officer related to the conditions of supervision.

SO ORDERED.

ENTERED BY THE COURT:



TRAVIS R. MCDONOUGH
CHIEF UNITED STATES DISTRICT JUDGE