

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

In re: Electronic Service of Habeas Corpus  
Petitions filed in the United States  
District Court for the Eastern District  
Of Michigan under U.S.C. § 2254

Administrative Order

20-AO-040

ADMINISTRATIVE ORDER

This Administrative Order approves and adopts the unanimous agreement reached on June 17, 2020, regarding electronic service of habeas petitions filed in the United States District Court for the Eastern District of Michigan, under 28 U.S.C. § 2254. The unanimous agreement was reached by the following individuals:

**State of Michigan Represented by:**

John Pallas, First Assistant, Criminal Trials and Appeals Division  
Lisa Geminick, Division Chief, MDOC Division  
Andrea Christensen Brown, Assistant Attorney General, Criminal Trials & Appeals Division  
Meagan Elve, Division Head Secretary, Criminal Trials and Appeals Division

**Michigan Department of Corrections Represented by:**

Heidi E. Washington, Director, Michigan Department of Corrections  
Jared M. Warner, Legal Affairs Administrator, Office of Legal Affairs  
Brandon Waddell, Litigation Coordinator, Office of Legal Affairs

**U.S. District Court Represented by:**

R. Steven Whalen, Executive Magistrate Judge  
Kevin Williams, Operations Manager  
Andrea Teets, Operations Supervisor  
Cheryl Bell, Staff Attorney

**Authority**

**Rule 4 of the Rules Governing Section 2254 Cases**, states in part: "If the petition is not dismissed, the judge must order the respondent to file an answer, motion, or other response within a fixed time, or to take other action the judge may order. In every case, the clerk must serve a copy of the petition and any order on the respondent and on the attorney general or other appropriate officer of the state involved." The rule addresses the need for service of the Petition for a writ of habeas corpus, it does not specify the method of service.

**Procedure**

Effective August 3, 2020, when an Order is issued directing the respondent to file a response to a habeas petition, the Clerk's Office will enter the order in the court's electronic case filing system (CM/ECF). The electronic filing system will generate a notice

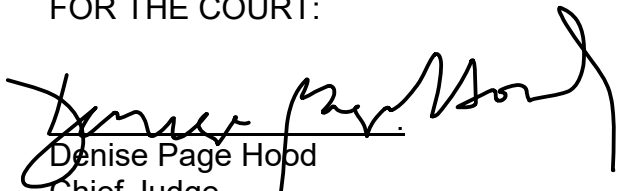
of filing (NEF) with electronic copies of the order and habeas petition, and electronically transmit the notification to the following designated email addresses:

Michigan Attorney General: [Habeasdivision@michigan.gov](mailto:Habeasdivision@michigan.gov)  
Michigan Dept. of Corrections: [MDOC-Warden-Service@michigan.gov](mailto:MDOC-Warden-Service@michigan.gov)

In accordance with the agreement reached on June 17, 2020, the receipt of the electronic notification (NEF) by State of Michigan Officials, will constitute service in compliance with Rule 4 of the Rules Governing Section 2254 Cases.

**IT IS SO ORDERED** that effective August 3, 2020, the Clerk is authorized to begin electronic service of habeas petitions filed in the United States District Court for the Eastern District of Michigan, under 28 U.S.C. § 2254.

FOR THE COURT:

  
Denise Page Hobd  
Chief Judge