

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 75-CR-26-3-F  
No. 5:06-CV-23-F

UNITED STATES OF AMERICA,

v.

JEFFREY R. MacDONALD,  
Movant

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ORDER

It hereby is ORDERED that the following parameters shall be implemented and shall remain in effect during the pendency of the evidentiary hearing in this matter, beginning on September 17, 2012. These parameters shall be binding upon all participants and spectators and shall be adhered to until court is adjourned at the conclusion of this matter. All conditions herein shall be enforced by the United States Marshal.

1. All persons seeking to enter the Alton Lennon Federal Building during the pendency of this hearing must present valid photo identification and sign in with the Court Security Officers stationed at the federal building entry door. Failure to do either will result in denial of entry into the building.

2. No one except the official court reporter may record or transmit or attempt to record or transmit the court proceedings in any way or manner. As always, no photographs or recordings of any kind are permitted inside the courthouse facilities. Additionally, all wireless communication devices are prohibited inside courthouse facilities, including, but not limited to: cell phones, smart phones, camera phones, personal data assistants (PDAs), iPads and other tablet computers, laptop computers, and any and all similar devices that have the capability of recording or transmitting sound, pictures and/or video using wired or wireless technology or other means.

A. Only the following individuals are exempt from this provision: U.S. Government tenants located in the building (or their visitors), court personnel, the U.S. Attorney, the Federal Public Defender, and employees thereof, Deputy United States Marshals and Court Security

Officers, federal law enforcement personnel and attorneys on court business, provided that their possession and use of wireless communication devices in courthouse facilities is related to their official business.

B. If an individual prohibited by this order from entering courthouse facilities with a wireless communication device is found to have such item(s) in his/her possession, the Court Security Officers will advise the person that he/she should store the device in a nearby home, office or motor vehicle. If this option is not practicable, the Court Security Officer may, at his or her discretion, agree to place the item(s) in a suitable storage facility, it being understood that the Court Security Officer(s) and United States Government assume no responsibility for damage or loss to said prohibited item(s).

3. The proceedings will begin at 9:00 a.m. unless otherwise ordered. All individuals allowed in the courtroom must be seated not later than 8:50 a.m. Otherwise, **entry** into and movement around the courtroom while court is in session will be restricted to the announced morning, luncheon and afternoon recesses, with the exception of court personnel and one witness coordinator for each party who may enter and exit as needed. Individuals may **exit** the courtroom while court is in session, but may not re-enter until the next regularly scheduled recess.

4. Spectators and participants must sit only in those pews/seats not reserved for designated persons. The first row behind the bar will be reserved for the press. No person will be allowed to stand or sit in the aisles or in the rear of the courtroom while the proceedings are in progress. No food or drink is allowed in the courtroom.

The United States Marshal shall exercise discretion in managing the number of spectators allowed in the courtroom during these proceedings.

All persons shall obey the directions of Court Security Officers and Deputy United States Marshals concerning courtroom behavior.

5. No person other than the attorneys, the movant, designated witnesses, and other court personnel may be present in front of the bar in the courtroom during these proceedings.

6. All witnesses must remain in the designated witness rooms, which will be identified at the outset of hearing, at all times while they are present in the federal building and not actively testifying during the proceedings.

7. No person shall be permitted to remain in the lobby outside of Courtroom Number 1 or in the hallways of the federal building while the proceedings are in progress. All persons not admitted to the courtroom or not waiting in a designated witness room must remain outside of the federal building, not impeding the sidewalk or the city streets, while these proceedings are underway.

8. During the course of these proceedings, the court may impose any other order or condition it deems necessary in order to provide for the safety of the spectators, hearing participants or witnesses, and to ensure the fair and efficient administration of justice.

**ANY PERSON VIOLATING THIS ORDER WILL BE  
SANCTIONED AS ALLOWED BY LAW,  
INCLUDING BEING BARRED FROM THE COURTROOM OR COURTHOUSE,  
BEING HELD IN CRIMINAL CONTEMPT,  
OR BEING SUBJECTED TO OTHER CRIMINAL PROSECUTION**

**The United States Marshal is DIRECTED to post copies of this Order at the entrance to the Alton Lennon Federal Building, in the hallways, on the doors inside and outside Courtroom No. 1, and elsewhere in the Federal Building as deemed appropriate.**

SO ORDERED.

This the 6<sup>th</sup> day of September, 2012.

  
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James C. Fox  
Senior United States District Judge