

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

No. 07-1311

JOSEPH P. NACCHIO

Defendant-Appellant.

ORDER

This matter is before the court to outline the protocol to be followed for the en banc oral argument scheduled in this matter for Thursday, September 25, 2008, at the Byron White United States Courthouse. The proceedings will begin promptly at 1:00 p.m.

Courtroom Location and Seating

Oral argument will be held in Division I of the Byron White Courthouse. That courtroom will be open at 12:30 p.m. Seating for the public will be on a first come, first served basis. Two rows of seating will be reserved for members of the press. Excluding sketch artists, only one representative from each media organization will be allowed to sit in the reserved seating space. On or before Friday, September 19, 2008, those press representatives seeking to sit in the reserved area shall contact Court Crier Janet Gregor at

303-335-2970 to confirm attendance. A list of confirmed media attendees for the reserved area will be available on the day of argument and only those press representatives will be allowed to sit in the reserved area. Press credentials will be required. Media representatives not on the list will be seated first come, first served.

Identification

All members of the press, as well as the public, will be required to show proper government identification at the front entrance and must proceed through security screening. No one will be allowed in the courtroom absent display of appropriate identification.

Overflow Audio

There will be a second courtroom open with an audio feed of the oral arguments. Seating in that courtroom will be first come, first served as well.

Use of Laptops In The Courtroom

As long as the use of battery powered laptops is not disruptive to court proceedings, media representatives will be allowed to possess laptops in the courthouse and to use such devices in the courtroom. The use of laptop cameras or any type of recording device is strictly prohibited.

Cell Phones

Cell phones which include cameras are not allowed in the Byron White Courthouse. Media representatives and the public will be required to check any such phones at the security area. Use of any type of camera or recording device in courtrooms

is prohibited.

Media and Public Areas

Any media interviews must take place outside the courthouse. Public gatherings are allowed in the areas of the public sidewalks. At no time should public access to the courthouse be restricted by news media.

Digital Recordings

The court does not transcribe oral argument hearings. Digital recordings maintained by the clerk's office are for the use of the judges.

Entered for the Court,

A handwritten signature in cursive script that reads "Elisabeth A. Shumaker".

ELISABETH A. SHUMAKER
Clerk of Court