

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF

CRIMINAL SUPPRESSION AND DISMISSAL
MOTIONS BEFORE CHIEF MAGISTRATE
JUDGE KELLY K.E. MAHONEY

STANDING ORDER
(Issued February 1, 2024)

The court **ORDERS** that the parties follow the procedures below for hearings on motions to suppress or dismiss in criminal cases before Chief United States Magistrate Judge Kelly K.E. Mahoney:

1. Every motion to suppress must include, under a separate heading or attachment, an Inventory of Items to be Suppressed (“Inventory”):
 - a. Specify any **physical items** by description, date, and location. For example, “firearm located on Defendant’s person on January 1, 2000, during a traffic stop on Highway 1” or “drug paraphernalia found in Defendant’s residence on January 1, 2000.”
 - b. Specify any **statements** by the participants’ names, date, and location. For example, “all statements made by Defendant to Officer Smith during an interview at the Sioux City Police Station on January 1, 2000” or “all statements made by Defendant to Officer Smith during an encounter at 123 Main Street on January 1, 2000.”
 - c. **Other types of evidence** must be identified with sufficient particularity to permit the Government and the court to adequately prepare for a suppression hearing.

A reference to “all evidence” or “fruit of the poisonous tree” is insufficient to satisfy Defendant’s obligation to identify evidence.

2. Counsel for the parties must meet and confer after the Government files its resistance to discuss a hearing on the motion, and then file a **joint notice** addressing the following:

- a. Whether a hearing is needed for the parties to present evidence and/or argument;
- b. The witnesses who may be called to testify at the hearing (the parties must work together to ensure necessary witnesses will be available for the hearing);
- c. Proposed exhibits and whether the opposing party contests admissibility; and
- d. The estimated duration of the hearing.

The joint notice must be filed **no later than seven days after the Government files its resistance** (including weekends and holidays).

3. Witnesses must appear in person for any evidentiary hearing, unless all parties and the court agree in advance to a witness appearing by video or telephone (video is the preferred over telephonic appearance).
4. The attorney who wrote the motion or responsive pleading should be present at the hearing.
5. If a party files any document related to the hearing less than twenty-four hours before the hearing, that party must notify opposing counsel and chambers via email. The email notification to chambers should be sent to:
kelly_mahoney@iand.uscourts.gov
jami_gollhofer@iand.uscourts.gov
paige_burnham@iand.uscourts.gov

SO ORDERED on February 1, 2024.



Kelly K.E. Mahoney
Chief United States Magistrate Judge
Northern District of Iowa