

Provisions relating to maintenance of offices at certain places by the clerks and marshals were omitted as covered by sections 541 [see 561] and 751 of this title.

Provisions for the continuance of terms were omitted as covered by section 139 of this title.

Provisions with respect to the return of process, and the places of keeping court papers, were omitted as matters for determination by rule of court or for the action of the judicial council in cooperation with the Administrative Office of the United States Courts.

The provisions for trial of cases at Lewisburg and Erie unless counsel consent to trial elsewhere were omitted as inconsistent with the uniform practice provided by this title.

Changes were made in phraseology and arrangement.

SENATE REVISION AMENDMENT

By Senate amendment to the bill, Blair County was transferred from the Middle District to the Western District of Pennsylvania. This was in conformity with Act July 11, 1947, ch. 224, 61 Stat. 310, which so amended section 184 of title 28, U.S.C., 1940 ed., the source of this section. See 80th Congress Senate Report No. 1559.

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-277, §101(b) [title VI, §624(a)(1)], substituted “and Philadelphia” for “Philadelphia, and Schuylkill”.

Subsec. (b). Pub. L. 105-277, §101(b) [title VI, §624(a)(2)], inserted “Schuylkill,” after “Potter.”

1992—Subsec. (a). Pub. L. 102-396 inserted “Lancaster,” before “Reading”.

1978—Subsec. (c). Pub. L. 95-573 provided for holding court at Johnstown.

1970—Subsec. (a). Pub. L. 91-272 provided for holding court at Allentown and Reading.

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-277, div. A, §101(b) [title VI, §624(b)], Oct. 21, 1998, 112 Stat. 2681-50, 2681-116, provided that:

“(1) This section [amending this section] and the amendments made by this section shall take effect 180 days after the date of the enactment of this Act [Oct. 21, 1998].

“(2) This section and the amendments made by this section shall not affect any action commenced before the effective date of this section and pending on such date in the United States District Court for the Eastern District of Pennsylvania.

“(3) This section and the amendments made by this section shall not affect the composition, or preclude the service, of any grand or petit jury summoned, impaneled, or actually serving on the effective date of this section.”

§ 119. Puerto Rico

Puerto Rico constitutes one judicial district.

Court shall be held at Mayaguez, Ponce, and San Juan.

(June 25, 1948, ch. 646, 62 Stat. 889.)

HISTORICAL AND REVISION NOTES

Based on sections 863 and 864 of title 48, U.S.C., 1940 ed., Territories and Insular Possessions (Apr. 12, 1900, ch. 191, §§34, 35, 31 Stat. 84, 85; Jan. 7, 1913, ch. 6, 37 Stat. 648; Mar. 2, 1917, ch. 145, §§41, 42, 39 Stat. 965, 966; Mar. 4, 1921, ch. 161, §1, 41 Stat. 1412; Feb. 13, 1925, ch. 229, §§1, 13, 43 Stat. 936, 942; Dec. 13, 1926, ch. 6, §1, 44 Stat. 919; Jan. 31, 1928, ch. 14, §1, 45 Stat. 54; May 17, 1932, ch. 190, 47 Stat. 158; Mar. 26, 1938, ch. 51, §2, 52 Stat. 118).

Section consolidates parts of sections 863 and 864 of title 48, U.S.C., 1940 ed., with changes in phraseology necessary to effect consolidation.

The provision of sections 863 of title 48, U.S.C., 1940 ed., for appointment of a district judge is incorporated in section 133 of this title; for tenure, in section 134 of this title, and for salary was omitted as covered by section 135 of this title.

The provisions of section 863 of title 48, U.S.C., 1940 ed., for appointment and tenure of United States attorneys and marshals are incorporated in sections 501 [now 541], 504 [now 541 to 544], and 541 [see 561] of this title.

The provisions of section 863 of title 48, U.S.C., 1940 ed., for appointment of United States Commissioners and other court officers are incorporated in sections 631 and 751 of this title.

The provision of section 864 of title 48, U.S.C., 1940 ed., as to the holding of regular and special terms of court was omitted as covered by sections 138 and 141 of this title.

The provision of section 864 of title 48, U.S.C., 1940 ed., that the district court shall be attached to the first circuit is incorporated in section 41 of this title.

The provision of section 864 of title 48, U.S.C., 1940 ed., for appeals to the circuit court of appeals is incorporated in section 1295 of this title.

Other provisions of sections 863 and 864 of title 48, U.S.C., 1940 ed., are retained in title 48.

§ 120. Rhode Island

Rhode Island constitutes one judicial district.

Court shall be held at Providence.

(June 25, 1948, ch. 646, 62 Stat. 889.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §185 (Mar. 3, 1911, ch. 231, §104, 36 Stat. 1123; Feb. 1, 1912, ch. 27, 37 Stat. 59).

Changes in phraseology were made.

§ 121. South Carolina

South Carolina constitutes one judicial district comprising eleven divisions.

(1) The Charleston Division comprises the counties of Berkeley, Charleston, Clarendon, Colleton, Dorchester, and Georgetown.

Court for the Charleston Division shall be held at Charleston.

(2) The Columbia Division comprises the counties of Kershaw, Lee, Lexington, Richland, and Sumter.

Court for the Columbia Division shall be held at Columbia.

(3) The Florence Division comprises the counties of Chesterfield, Darlington, Dillon, Florence, Horry, Marion, Marlboro, and Williamsburg.

Court for the Florence Division shall be held at Florence.

(4) The Aiken Division comprises the counties of Aiken, Allendale, and Barnwell.

Court for the Aiken Division shall be held at Aiken.

(5) The Orangeburg Division comprises the counties of Bamberg, Calhoun, and Orangeburg.

Court for the Orangeburg Division shall be held at Orangeburg.

(6) The Greenville Division comprises the counties of Greenville and Laurens.

Court for the Greenville Division shall be held at Greenville.

(7) The Rock Hill Division comprises the counties of Chester, Fairfield, Lancaster, and York.

Court for the Rock Hill Division shall be held at Rock Hill.

(8) The Greenwood Division comprises the counties of Abbeville, Edgefield, Greenwood, McCormick, Newberry, and Saluda.

Court for the Greenwood Division shall be held at Greenwood.

(9) The Anderson Division comprises the counties of Anderson, Oconee, and Pickens.

Court for the Anderson Division shall be held at Anderson.

(10) The Spartanburg Division comprises the counties of Cherokee, Spartanburg, and Union.

Court for the Spartanburg Division shall be held at Spartanburg.

(11) The Beaufort Division comprises the counties of Beaufort, Hampton, and Jasper.

Court for the Beaufort Division shall be held at Beaufort.

(June 25, 1948, ch. 646, 62 Stat. 889; Pub. L. 89-242, §1(a), Oct. 7, 1965, 79 Stat. 951; Pub. L. 99-657, §2, Nov. 14, 1986, 100 Stat. 3670; Pub. L. 102-140, title III, §304, Oct. 28, 1991, 105 Stat. 810.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §186 (Mar. 3, 1911, ch. 231, §105, 36 Stat. 1123; Feb. 5, 1912, ch. 28, 37 Stat. 60; Mar. 3, 1915, ch. 100, §5, 38 Stat. 961; Sept. 1, 1916, ch. 434, 39 Stat. 721; Mar. 4, 1923, ch. 261, 42 Stat. 1486; Jan. 30, 1925, ch. 118, 43 Stat. 800; June 26, 1926, ch. 696, §§1-3, 44 Stat. 773; June 20, 1936, ch. 637, §§1-3, 49 Stat. 1558, 1559; June 12, 1940, ch. 335, 54 Stat. 344; June 28, 1943, ch. 173, title II, §204, 57 Stat. 244; Dec. 13, 1944, ch. 556, 58 Stat. 801).

The last sentence of section 186 of title 28, U.S.C., 1940 ed., relating to trial of criminal cases in the division in which the offense was committed, was omitted as fully covered by Rules 18-22 of the Federal Rules of Criminal Procedure.

A provision relating to the places of the clerks' offices was omitted as covered by section 751 of this title.

The provision respecting court accommodations at Orangeburg was omitted as covered by section 142 of this title.

Changes in arrangement and phraseology were made.

AMENDMENTS

1991—Par. (4), Pub. L. 102-140, §304(1), struck out reference to Hampton County.

Par. (11), Pub. L. 102-140, §304(2), inserted reference to Hampton County.

1986—Pub. L. 99-657, §2(1), substituted "eleven divisions" for "ten divisions" in introductory text.

Par. (1), Pub. L. 99-657, §2(2), struck out "Beaufort," after "counties of" and substituted "and Georgetown" for "Georgetown, and Jasper".

Par. (11), Pub. L. 99-657, §2(3), added par. (11).

1965—Pub. L. 89-242 consolidated into a single district the 10 divisions of the state which had formerly been divided into an Eastern and a Western District.

EFFECTIVE DATE OF 1986 AMENDMENT

Section 4 of Pub. L. 99-657 provided that:

"(a) EFFECTIVE DATE.—(1) The amendments made by sections 2 and 3 [amending this section and section 90 of this title] take effect 90 days after the date of the enactment of this Act [Nov. 14, 1986].

"(2) The amendment made by section 4 [enacting this note] takes effect on the date of the enactment of this Act.

"(b) PENDING ACTIONS.—The amendments made by this Act [amending this section and section 90 of this title] shall not affect any action commenced before the effective date of such amendments and pending on such date.

"(c) JURIES.—The amendments made by this Act [amending this section and section 90 of this title] shall not affect the composition, or preclude the service, of

any grand or petit jury summoned, empaneled, or actually serving on the effective date of such amendments."

EFFECTIVE DATE OF 1965 AMENDMENT

Section 6 of Pub. L. 89-242 provided that: "The provisions of this Act [amending this section and section 133 of this title and enacting provisions set out as a note below] shall become effective on the first day of the month following the date of enactment of this Act [Oct. 7, 1965]."

CONSOLIDATION OF SOUTH CAROLINA INTO A SINGLE JUDICIAL DISTRICT

Sections 2 to 5 of Pub. L. 89-242 provided for the consolidation, in compliance with section 132 of this title, of the Eastern and Western Districts of South Carolina into a single district with continuing jurisdiction over civil cases and criminal acts pending or committed prior to Nov. 1, 1965, and appropriate provisions for the appointment or transfer of United States attorneys, marshals, and other court personnel, then serving, from the two districts to the consolidated district.

§ 122. South Dakota

South Dakota constitutes one judicial district comprising four divisions.

(1) The Northern Division comprises the counties of Brown, Campbell, Clark, Codrington, Corson, Day, Deuel, Edmonds, Grant, Hamlin, McPherson, Marshall, Roberts, Spink, and Walworth.

Court for the Northern Division shall be held at Aberdeen.

(2) The Southern Division comprises the counties of Aurora, Beadle, Bon Homme, Brookings, Brule, Charles Mix, Clay, Davison, Douglas, Hanson, Hutchinson, Kingsbury, Lake, Lincoln, McCook, Miner, Minnehaha, Moody, Sanborn, Turner, Union, and Yankton.

Court for the Southern Division shall be held at Sioux Falls.

(3) The central division comprises the counties of Buffalo, Dewey, Faulk, Gregory, Haakon, Hand, Hughes, Hyde, Jerauld, Jones, Lyman, Mellette, Potter, Stanley, Sully, Todd, Tripp, and Ziebach.

Court for the Central Division shall be held at Pierre.

(4) The Western Division comprises the counties of Bennett, Butte, Custer, Fall River, Harding, Jackson, Lawrence, Meade, Pennington, Perkins, and Shannon.

Court for the Western Division shall be held at Deadwood and Rapid City.

(June 25, 1948, ch. 646, 62 Stat. 889; Pub. L. 89-638, Oct. 10, 1966, 80 Stat. 883; Pub. L. 92-376, Aug. 10, 1972, 86 Stat. 529; Pub. L. 101-650, title III, §324(b), Dec. 1, 1990, 104 Stat. 5120.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §187 (Mar. 3, 1911, ch. 231, §106, 36 Stat. 1123; June 11, 1932, ch. 242, 47 Stat. 300).

A provision relating to maintenance of offices by the clerk was omitted as covered by sections 452 and 751 of this title.

Provisions that the Northern Division included Lake Traverse Indian Reservation and that part of Standing Rock Indian Reservation lying in South Dakota; that the Southern Division included the Yorkton Indian Reservation; that the Central Division included the