

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §171 (Mar. 3, 1911, ch. 231, §91, 36 Stat. 1117; Dec. 22, 1911, ch. 8, 37 Stat. 51).

Provisions for furnishing rooms and accommodations at Chillicothe were omitted as obsolete upon advice of Director of the Administrative Office of the United States Courts that Federal accommodations are now available in such place.

“Rolla” was omitted as a place for holding court in the Eastern Division of the Eastern District, and the provision for furnishing quarters there without cost to the United States was also omitted on advice from the clerk of court that no term of court has been held there since 1920. All cases arising in Phelps county in which Rolla is situated are heard at St. Louis.

Provisions relating to the maintenance of offices by the clerks and marshals or their deputies were omitted as covered by sections 452, 541 [see 561], 542 [see 561], and 751 of this title.

Changes in arrangement and phraseology were made.

AMENDMENTS

2012—Subsec. (a)(1). Pub. L. 112-188, §2(1), struck out “Iron,” after “Gasconade,” and “Saint Genevieve,” after “Saint Francois.”

Subsec. (a)(3). Pub. L. 112-188, §2(2), inserted “Iron,” after “Dunklin,” and “Saint Genevieve,” after “Ripley.”

1980—Subsec. (a)(1). Pub. L. 96-462, §4(a)(1), struck out references to Audrain and Montgomery counties in the list of counties comprising the Eastern Division of the Eastern District.

Subsec. (a)(2). Pub. L. 96-462, §4(a)(2), added Audrain and Montgomery counties to the Northern Division of the Eastern District.

1962—Subsec. (b). Pub. L. 87-461 transferred the counties of Caldwell, Grundy, Livingston, Mercer, Putnam, and Sullivan from the Western Division to the Saint Joseph Division, and omitted Chillicothe as a place for holding court.

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-188 effective on the 60th day after Oct. 5, 2012, see section 4 of Pub. L. 112-188, set out as note under section 104 of this title.

EFFECTIVE DATE OF 1980 AMENDMENT; SAVINGS PROVISION

Amendment by Pub. L. 96-462 effective Oct. 1, 1981, but not to affect the composition or preclude the service of any grand or petit juror summoned, empaneled, or actually serving in any judicial district on Oct. 1, 1981, see section 7 of Pub. L. 96-462, set out as a note under section 84 of this title.

Pub. L. 96-462, §4(b), Oct. 15, 1980, 94 Stat. 2053, provided that: “The amendments made by subsection (a) [amending this section] shall not apply to any action commenced before the effective date of such amendments [Oct. 1, 1981] and pending in the United States District Court for the Eastern District of Missouri on such date.”

§ 106. Montana

Montana, exclusive of Yellowstone National Park, constitutes one judicial district.

Court shall be held at Billings, Butte, Glasgow, Great Falls, Havre, Helena, Kalispell, Lewistown, Livingston, Miles City, and Missoula.

(June 25, 1948, ch. 646, 62 Stat. 884.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §172 (Mar. 3, 1911, ch. 231, §92, 36 Stat. 1118; July 3, 1926, ch. 748, 44 Stat. 825; July 5, 1937, ch. 430, 50 Stat. 474; Aug. 26, 1937, ch. 819, §2, 50 Stat. 837; Aug. 7, 1939, ch. 506, 53 Stat. 1236).

All of Yellowstone National Park is included in the judicial district of Wyoming by section 131 of this title. Those parts of the park lying in Montana are accordingly excluded from the judicial district of Montana.

A provision for furnishing rooms and accommodations at Havre was omitted as obsolete on advice of the Director of the Administrative Office of the United States Courts that Federal accommodations are now available there.

A provision for transfer of causes, civil or criminal, from one place of holding court to another was omitted. Such provision, as to civil cases, is covered by section 1404 of this title, and, as to criminal cases, is rendered unnecessary because of inherent power of the court and Rules 18-20 of the Federal Rules of Criminal Procedure, relating to venue.

A provision for the making of any interlocutory order at any place designated for holding court was omitted as unnecessary in view of Federal Rules of Civil Procedure, Rule 77-(b).

The provisions respecting court accommodations at Kalispell, Lewistown, and Livingston were omitted as covered by section 142 of this title.

Changes were made in arrangement and phraseology.

§ 107. Nebraska

Nebraska constitutes one judicial district.

Court shall be held at Lincoln, North Platte, and Omaha.

(June 25, 1948, ch. 646, 62 Stat. 884; Aug. 9, 1955, ch. 627, §1, 69 Stat. 546.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §173 (Mar. 3, 1911, ch. 231, §93, 36 Stat. 1118).

Provisions for furnishing rooms and accommodations at the various places for holding court were omitted as obsolete upon advice of Director of the Administrative Office of the United States Courts that Federal accommodations are now available at such places.

A provision relating to the appointment and residence of deputy clerks and the places for keeping offices was omitted as covered by section 751 of this title.

The county of Arthur in the North Platte Division was created since the enactment of the Judicial Code. Changes in arrangement and phraseology were made.

AMENDMENTS

1955—Act Aug. 9, 1955, struck out the separate divisions of the district and reduced the number of places of holding terms.

EFFECTIVE DATE OF 1955 AMENDMENT

Act Aug. 9, 1955, ch. 627, §2, 69 Stat. 546, provided that: “The amendment made by the first section of this Act [amending this section] shall take effect on September 1, 1955.”

§ 108. Nevada

Nevada constitutes one judicial district.

Court shall be held at Carson City, Elko, Las Vegas, Reno, Ely, and Lovelock.

(June 25, 1948, ch. 646, 62 Stat. 885; Pub. L. 101-650, title III, §324(a)(1), Dec. 1, 1990, 104 Stat. 5120.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §174 (Mar. 3, 1911, ch. 231, §94, 36 Stat. 1118; June 24, 1930, ch. 595, 46 Stat. 806; Nov. 15, 1945, ch. 482, 59 Stat. 582).

Changes in arrangement and phraseology were made.

AMENDMENTS

1990—Pub. L. 101-650 substituted “, Reno, Ely, and Lovelock” for “and Reno”.