

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

Pub. L. 99-657, §4, Nov. 14, 1986, 100 Stat. 3670, 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

Pub. L. 89-242, §6, Oct. 7, 1965, 79 Stat. 953, 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, Codington, 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 Cheyenne River, Lower Brule, and Crow Creek Indian Reservations; and that the Western Division included Rosebud and Pine Ridge Indian Reservations, were all omitted as surplusage. (See Reviser's Note under section 114 of this title.)

Changes in arrangement and phraseology were made.

AMENDMENTS

1990—Par. (3), Pub. L. 101-650, §324(b)(1), struck out "Jackson," after "Hyde,".

Par. (4), Pub. L. 101-650, §324(b)(2), inserted "Jackson," after "Harding," and substituted "and Shannon" for "Shannon, Washabaugh, and Washington".

1972—Par. (2), Pub. L. 92-376, §1(a), removed Gregory County from the Southern Division.

Par. (3), Pub. L. 92-376, §1(b), added Gregory, Mellette, Todd, and Tripp counties to the Central Division and removed Armstrong county from the Central Division.

Par. (4), Pub. L. 92-376, §1(c), removed Mellette, Todd, and Tripp counties from the Western Division.

1966—Pub. L. 89-638 provided for holding court at Rapid City.

§ 123. Tennessee

Tennessee is divided into three judicial districts to be known as the Eastern, Middle, and Western Districts of Tennessee.

Eastern District

(a) The Eastern District comprises four divisions.

- (1) The Northern Division comprises the counties of Anderson, Blount, Campbell, Claiborne, Grainger, Jefferson, Knox, Loudon, Monroe, Morgan, Roane, Scott, Sevier, and Union.

Court for the Northern Division shall be held at Knoxville.

- (2) The Northeastern Division comprises the counties of Carter, Cocke, Greene, Hamblen, Hancock, Hawkins, Johnson, Sullivan, Unicoi, and Washington.

Court for the Northeastern Division shall be held at Greenville.

- (3) The Southern Division comprises the counties of Bledsoe, Bradley, Hamilton, McMinn, Marion, Meigs, Polk, Rhea, and Sequatchie.

Court for the Southern Division shall be held at Chattanooga.

- (4) The Winchester Division comprises the counties of Bedford, Coffee, Franklin, Grundy, Lincoln, Moore, Van Buren, and Warren.

Court for the Winchester Division shall be held at Winchester.

Middle District

(b) The Middle District comprises three divisions.

- (1) The Nashville Division comprises the counties of Cannon, Cheatham, Davidson, Dickson, Houston, Humphreys, Montgomery, Robertson, Rutherford, Stewart, Sumner, Trousdale, Williamson, and Wilson.

Court for the Nashville Division shall be held at Nashville.

- (2) The Northeastern Division comprises the counties of Clay, Cumberland, De Kalb, Fentress, Jackson, Macon, Overton, Pickett, Putnam, Smith, and White.

Court for the Northeastern Division shall be held at Cookeville.

- (3) The Columbia Division comprises the counties of Giles, Hickman, Lawrence, Lewis, Marshall, Maury, and Wayne.

Court for the Columbia Division shall be held at Columbia.

Western District

(c) The Western District comprises two divisions.

- (1) The Eastern Division comprises the counties of Benton, Carroll, Chester, Crockett, Decatur, Dyer, Gibson, Hardeman, Hardin, Haywood, Henderson, Henry, Lake, McNairy, Madison, Obion, Perry, and Weakley.

The Eastern Division also includes the waters of Tennessee River to low-water mark on the

eastern shore wherever such river forms the boundary between the western and middle districts from the north line of Alabama north to the point in Henry County, Tennessee, where the south boundary of Kentucky strikes the east bank of the river.

Court for the Eastern Division shall be held at Jackson and Dyersburg.

- (2) The Western Division comprises the counties of Fayette, Lauderdale, Shelby, and Tipton.

Court for the Western Division shall be held at Memphis.

The district judge for the Eastern District in office on November 27, 1940, shall hold court in the Northern and Northeastern Divisions. The other judge of that district shall hold the terms of court in the Southern and Winchester Divisions. Each may appoint and remove all officers and employees of the court whose official headquarters are located in the divisions within which he holds court and whose appointments are vested by law in a district judge or chief judge of a district.

(June 25, 1948, ch. 646, 62 Stat. 890; Pub. L. 87-36, §3(e), May 19, 1961, 75 Stat. 83; Pub. L. 87-86, July 11, 1961, 75 Stat. 203; Pub. L. 91-272, §12, June 2, 1970, 84 Stat. 298; Pub. L. 110-406, §2(a), Oct. 13, 2008, 122 Stat. 4291.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §188 (Mar. 3, 1911, ch. 231, §107, 36 Stat. 1124; Aug. 20, 1912, ch. 306, 37 Stat. 314; June 22, 1916, ch. 161, 39 Stat. 232; Mar. 4, 1923, ch. 289, 42 Stat. 1520; May 17, 1926, ch. 310, 44 Stat. 561; Mar. 1, 1927, ch. 244, 44 Stat. 1262; May 13, 1932, ch. 179, 47 Stat. 153; June 16, 1933, ch. 94, 48 Stat. 253; July 30, 1937, ch. 539, 50 Stat. 546; June 12, 1940, ch. 341, 54 Stat. 348; Nov. 27, 1940, ch. 920, §1, 54 Stat. 1216; Dec. 3, 1943, ch. 332, 57 Stat. 595).

Words "The said judge shall possess the same powers, perform the same duties, and receive the same compensation as other district judges," and words, "The President is authorized to appoint, by and with the consent of the Senate, a successor or successors to said judge as vacancies may occur. Nothing herein contained shall be construed to prevent said judge or his successors from becoming the senior district judge by succession, or from exercising the powers and rights of senior district judge of said district. The judge designated herein to hold regular and special terms of court at Winchester and Chattanooga shall make all necessary orders for the disposition of business and assignment of cases for trial in said divisions," were deleted as superfluous, in view of sections 132 and 141 of this title.

Words "The district attorneys and marshals for the eastern, middle, and western districts of Tennessee in office immediately prior to November 27, 1940, shall be during the remainder of their present terms of office the district attorneys and marshals for such districts as constituted by this section. The district judge for the middle district of Tennessee shall be the district judge for the middle district of Tennessee as constituted by this section and shall hold regular and special terms of court at Nashville, Columbia, and Cookeville. The district judge for the western district of Tennessee shall hold regular and special terms of court at Memphis and Jackson," at the end of the section, were deleted as temporary, and as superfluous, in view of the remainder of the section, prescribing the places for holding terms of court.

A provision for furnishing rooms and accommodations by the local authorities for holding court at Columbia "but only until such time as such accommoda-