



Criminal Case Opening Procedure for the United States Attorney's Office:

**Pen Registers, Trap & Trace,
and Applications Pursuant to
18:2703(d)**

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

Revised January 2022

Summary:

This procedure is to be used for *Electronic Investigation* documents, such as Pen Registers, Trap & Trace, and Applications pursuant to 18:2703(d). All *Electronic Investigation* documents are filed under seal. These documents are sealed pursuant to LR 49.1(c)(1)(B)(ii) & (iii). **THIS PROCEDURE IS NOT TO BE USED** for any Search or Seizure Warrant documents (AO106 and AO93 and supporting documents), including sealed by order or investigative search warrants.

Open a new magistrate case

1. Go to **Criminal > AUSA – Criminal Duty Matters** and select *Criminal Case Opening*.
2. Review filing tips and click **Next**.

AUSA Case Opening
U.S. Attorney's Office Criminal Duty Matters Electronic Case Initiation

Before proceeding, prepare a MJ Duty Case Opening Form (starting January 1, 2022) and one of the following documents:
 *Application for Pen Register/Trap & Trace
 *Application for Order pursuant to 18 U.S.C. 2703(d)

The following MAY NOT be submitted via electronic case opening:
 *Search Warrant
 *Seizure Warrant
 *Complaints and other charging documents
 *Rule 5 documents
 *All CVB matters
 *All criminal duty matters handled by a district judge

Next Clear

3. Select appropriate County and click **Next**.

AUSA Case Opening
ECF Filing Instructions

Leave the **Office** as *DMN* and the **Case Type** as *mj*.
 Select the appropriate Minnesota **County** or *XX US, Outside State*.
 Click **Next**.

Office:
 Case type:
 Date filed: 12/27/2021 County:
 Other court
 Name: Number:

Next Clear

4. Enter **In re: Electronic Investigation** in the Last/Business Name field and then click **Search**.

AUSA Case Opening
ECF Filing Tips for Attorney MJ Duty Case Opening

Please consult the *Criminal Case Opening Procedure for the USAO*.
 1. Search **Last/Business Name** for the appropriate defendant name based on the type of application to be filed:
In re: Electronic Investigation
 *Application for Pen Register/Trap & Trace
 *Application for Order pursuant to 18 U.S.C. 2703(d)
 2. Leave all party contact fields blank. **DO NOT** enter address, phone, or email information and **DO NOT** select a party with this information populated.
 3. When finished, all parties will appear on the left side of the screen.
 4. After entering all party names, click **Create Case** to complete **PART I** of the case opening process.

Add New Party Create Case Search for a party

Last / Business Name: First Name: Middle Name:

Search

Collapse All Expand All

0:21-mj-????
 USA pla

5. Highlight the match from the search list and then click **Select Party** – DO NOT CLICK Create New Party, as that creates duplicate parties.

AUSA Case Opening
ECF Filing Tips for Attorney MJ Duty Case Opening

Please consult the *Criminal Case Opening Procedure for the USAO*.

1. Search **Last/Business Name** for the appropriate defendant name based on the type of application to be filed:
In re: Electronic Investigation
 *Application for Pen Register/Trap & Trace
 *Application for Order pursuant to 18 U.S.C. 2703(d)
2. Leave all party contact fields blank. **DO NOT** enter address, phone, or email information and **DO NOT** select a party with this information populated.
3. When finished, all parties will appear on the left side of the screen.
4. After entering all party names, click **Create Case** to complete **PART I** of the case opening process.

Add New Party **Create Case**

Search for a party
 Last / Business Name In re: Electronic Invest| First Name Middle Name

Search Results
 In re: Electronic Investigation

6. The **Party Information** screen appears.
 - a. Leave information as-is and click **Add Party**.

AUSA Case Opening
ECF Filing Tips for Attorney MJ Duty Case Opening

Please consult the *Criminal Case Opening Procedure for the USAO*.

1. Search **Last/Business Name** for the appropriate defendant name based on the type of application to be filed:
In re: Electronic Investigation
 *Application for Pen Register/Trap & Trace
 *Application for Order pursuant to 18 U.S.C. 2703(d)
2. Leave all party contact fields blank. **DO NOT** enter address, phone, or email information and **DO NOT** select a party with this information populated.
3. When finished, all parties will appear on the left side of the screen.
4. After entering all party names, click **Create Case** to complete **PART I** of the case opening process.

Add New Party **Create Case**

Party Information
 In re: Electronic Investigation

Title

Role Defendant no.

Pro se

Prisoner Id Unit

Office

Address1

Address 2 Show this address on the docket sheet

Address 3 City

State Zip Country

Prison

Phone Fax

E-mail

Party text

Start date End date

Corporation Notice

[Start a New Search](#)

- b. In re: Electronic Investigation (the defendant) now appears on the left side of the screen.

Add New Party **Create Case**

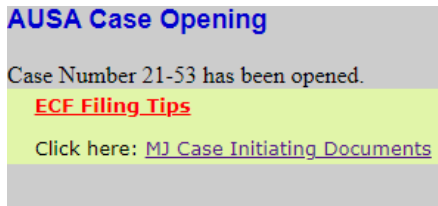
Search for a party
 Last / Business Name First Name Middle Name

Search Results
 In re: Electronic Investigation (1) dft.

- Alias
- Corporate Parent or other affiliate
- Attorney

7. Select **Create Case**.

8. The page now displays the case number. Note the case number for future reference.



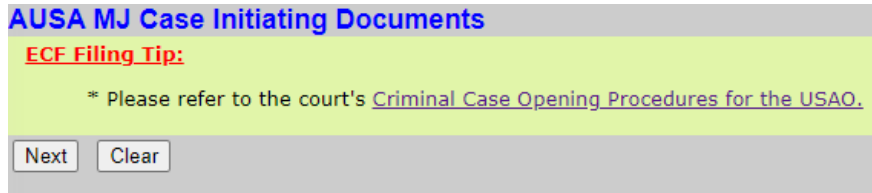
AUSA Case Opening

Case Number 21-53 has been opened.

ECF Filing Tips

Click here: [MJ Case Initiating Documents](#)

9. Select **MJ Case Initiating Documents** and click **Next**.
10. Review the highly sensitive information screen and click **Next**.
11. Review the filing tip and click **Next**.



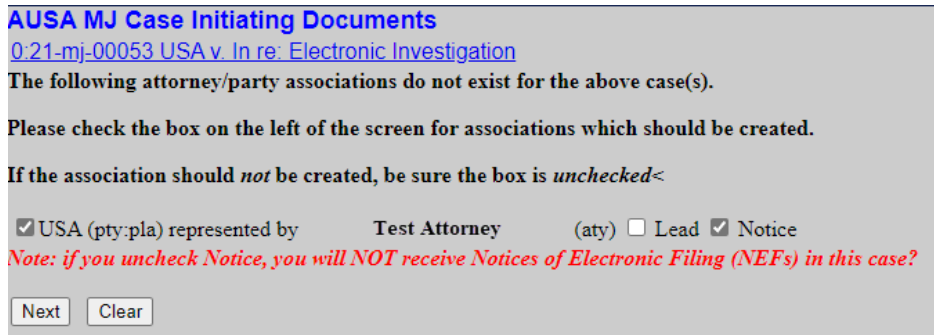
AUSA MJ Case Initiating Documents

ECF Filing Tip:

* Please refer to the court's [Criminal Case Opening Procedures for the USAO](#).

Next Clear

12. Enter the case number, which should already be populated, and click **Next**.
13. Select *USA [pla]* as the **Party** and click **Next**.
14. Leave *USA* and *Notice* checked and click **Next**.



AUSA MJ Case Initiating Documents

[0:21-mj-00053 USA v. In re: Electronic Investigation](#)

The following attorney/party associations do not exist for the above case(s).

Please check the box on the left of the screen for associations which should be created.

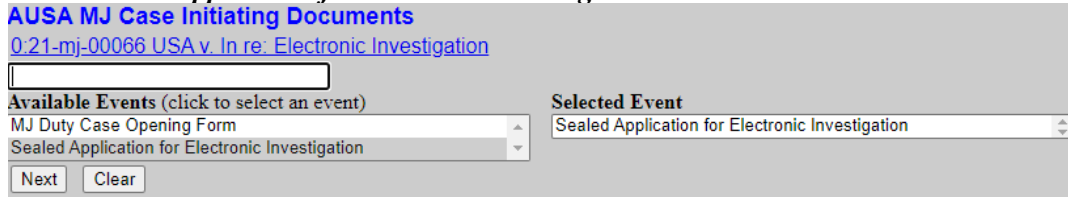
If the association should *not* be created, be sure the box is *unchecked*<

USA (pty:pla) represented by Test Attorney (aty) Lead Notice

Note: if you uncheck Notice, you will NOT receive Notices of Electronic Filing (NEFs) in this case?

Next Clear

15. Select *Sealed Application for Electronic Investigation* and click **Next**.



AUSA MJ Case Initiating Documents

[0:21-mj-00066 USA v. In re: Electronic Investigation](#)

Available Events (click to select an event)

MJ Duty Case Opening Form

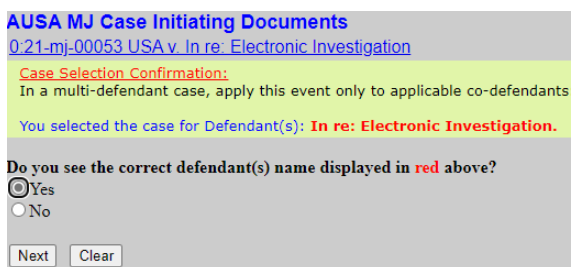
Sealed Application for Electronic Investigation

Selected Event

Sealed Application for Electronic Investigation

Next Clear

16. At the Case Selection Confirmation Screen, choose **Yes** and click **Next**.



AUSA MJ Case Initiating Documents

[0:21-mj-00053 USA v. In re: Electronic Investigation](#)

Case Selection Confirmation:

In a multi-defendant case, apply this event only to applicable co-defendants:

You selected the case for Defendant(s): **In re: Electronic Investigation**.

Do you see the correct defendant(s) name displayed in red above?

Yes

No

Next Clear

17. Upload initiating document as a PDF file and click **Next**.

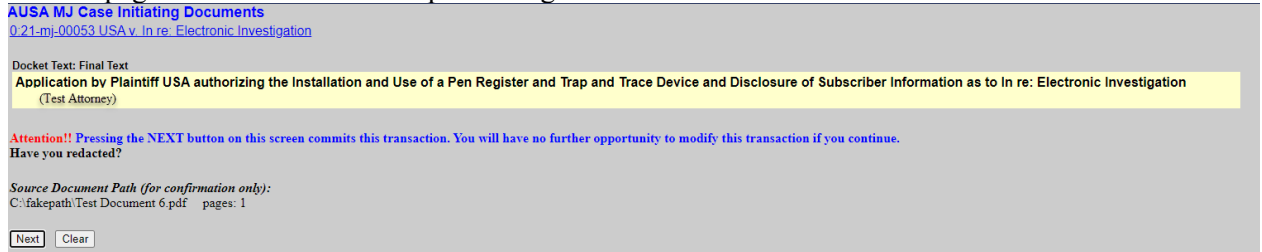
18. Select the type of document being filed and click **Next**.



19. The ECF Restriction Notice is displayed. Click **Next** twice.



20. Review page and click **Next** to complete filing.



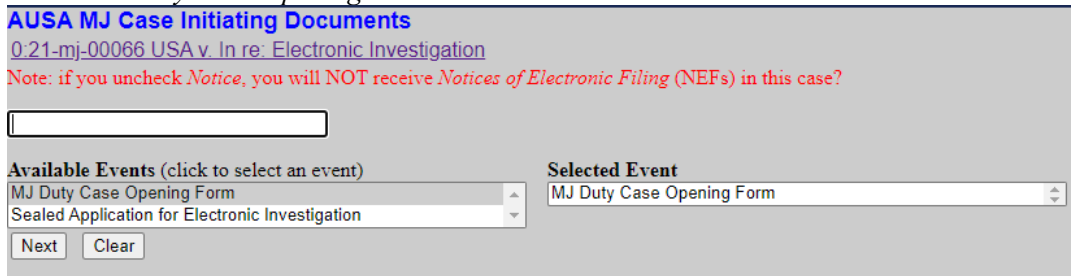
21. The **Notice of Electronic Filing** is displayed.

Now email mnd_duty_chambers@mnd.uscourts.gov with the case number and documents so that the MJ Duty Clerk can complete the case opening process. ***If this step is missed, your case may not be assigned, and the Order may not be signed by a Magistrate Judge in a timely manner.***

STEPS FOR FILING THE MJ DUTY CASE OPENING FORM

To file

1. Go to **Criminal>AUSA – Criminal Duty Matter** and select ***MJ Case Initiating Documents***.
2. Review the highly sensitive information screen and click **Next**.
3. Review the filing tip and click **Next**.
4. Enter the case number and click **Next**.
5. Select ***USA [pla]*** as the **Party** and click **Next**.
6. Select ***MJ Duty Case Opening Form*** and click **Next**.



7. At the Case Selection Confirmation Screen, choose **Yes** and click **Next**.

Restricted Motions
0:21-mj-00053-TNL In re: Electronic Investigation
Case Selection Confirmation:
In a multi-defendant case, apply this event only to applicable co-defendants:
You selected the case for Defendant(s): In re: Electronic Investigation.
Do you see the correct defendant(s) name displayed in red above?
 Yes
 No
Next Clear

8. Upload document as a PDF file and click **Next**.
9. The ECF Restriction Notice is displayed. Click **Next** twice.

ECF Restriction Notice:
Both the entry and document have been filed as ExParte.
Only the filing party and the court will have access to the entry and documents. No other parties will be noticed. The entry will not be available on the public docket.

10. Review page and click **Next** to complete filing.

AUSA MJ Case Initiating Documents
0:21-mj-00066 USA v. In re: Electronic Investigation
Docket Text: Final Text
MJ Duty Case Opening Form. (Test Attorney)
Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue. Have you redacted?
Source Document Path (for confirmation only):
C:\fakepath\Test Document 4.pdf pages: 1
Next Clear

11. The **Notice of Electronic Filing** is displayed.

STEPS FOR FILING EXTENSION DOCUMENTS

Extension on PRTT Applications & Applications for Order Pursuant to 18:2703(d)

To file

1. Go to **Criminal > RESTRICTED Filings** and select **Restricted Motions**.
2. Review the highly sensitive information screen and click **Next**.
3. Review the filing tip and click **Next**.
4. Enter the case number and click **Next**.
5. Select **USA [pla]** as the **Party** and click **Next**.

6. Select **Sealed Application for Electronic Investigation** and click **Next**.

Restricted Motions
[0:21-mj-00053-TNL In re: Electronic Investigation](#)
 Note: if you uncheck *Notice*, you will NOT receive *Notices of Electronic Filing (NEFs)* in this case?

Available Events (click to select an event)

- Ex Parte Application for Writ of Habeas Corpus Ad Testificandum
- Ex Parte Motion for Change of Custody of Witness
- Ex Parte Motion for Miscellaneous Relief
- Ex Parte Motion to Delay Notice
- Motion for Withdrawal as Counsel (Ex Parte Document)
- Sealed Application Not to Disclose Search Warrant (2705b)
- Sealed Application for Electronic Investigation**
- Sealed Joint Motion for Extension of Time to Indict
- Sealed Joint Motion for Pre-Plea PSI and Consolidated Plea/Ser
- Sealed Motion
- Sealed Motion for Change of Custody
- Sealed Motion for Compassionate Release from Custody
- Sealed Motion for Downward Departure 5K1.1 (18 USC 3553e)
- Sealed Motion for Extension of Time to Seal a Document
- Sealed Motion to Reduce Sentence - USSC Amendment (18USC

Selected Event
 Sealed Application for Electronic Investigation

Next Clear

7. At the Case Selection Confirmation Screen, choose **Yes** and click **Next**.

Restricted Motions
[0:21-mj-00053-TNL In re: Electronic Investigation](#)
Case Selection Confirmation:
 In a multi-defendant case, apply this event only to applicable co-defendants:
 You selected the case for Defendant(s): **In re: Electronic Investigation.**

Do you see the correct defendant(s) name displayed in red above?

Yes
 No

Next Clear

8. Upload document as a PDF file and click **Next**.
9. Choose the application type and check the box indicating this is an extension and click **Next**.

Restricted Motions
[0:21-mj-00053-TNL In re: Electronic Investigation](#)
Select the type of application:

Pen Register/Trap & Trace
 Application for Order Pursuant to 18 U.S.C. 2703(d)

Check if this Application is an **extension**.

Next Clear

10. The ECF Restriction Notice is displayed. Click **Next** twice.

ECF Restriction Notice:

Both the entry and document have been filed as ExParte.

Only the filing party and the court will have access to the entry and documents. No other parties will be noticed. The entry will not be available on the public docket.

11. Review page and click **Next** to complete filing.

Restricted Motions
[0:21-mj-00053-TNL In re: Electronic Investigation](#)

Docket Text: Final Text
 Application by Plaintiff USA authorizing the Continued Installation and Use of a Pen Register and Trap and Trace Device and Disclosure of Subscriber Information as to In re: Electronic Investigation. (Test Attorney)

Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.
 Have you redacted?

Source Document Path (for confirmation only):
 C:\fakepath\Test Document 1.pdf pages: 1

Next Clear

12. The **Notice of Electronic Filing** is displayed.
13. Now email mnd_duty_chambers@mnd.uscourts.gov with the case number and documents so that the MJ Duty Clerk can process. **If this step is missed, the Order may not be signed by a Magistrate Judge in a timely manner.**

Extension for Application Not to Disclose (2705(b))

To File:

1. Go to **Criminal > RESTRICTED Filings** and select **Restricted Motions**.
2. Review the Highly Sensitive Information screen and click **Next**.
3. Review the filing tip and click **Next**.
4. Enter the case number and click **Next**.
5. Select **USA [pla]** as the **Party** and click **Next**.
6. Select **Sealed Application Not to Disclose Search Warrant (2705b)** and click **Next**.

Restricted Motions
[0:21-mj-00053-TNL In re: Electronic Investigation](#)
Note: if you uncheck *Notice*, you will NOT receive *Notices of Electronic Filing (NEFs)* in this case?

Available Events (click to select an event)
Ex Parte Motion for Change of Custody of Witness
Ex Parte Motion for Miscellaneous Relief
Ex Parte Motion to Delay Notice
Motion for Withdrawal as Counsel (Ex Parte Document)
Sealed Application Not to Disclose Search Warrant (2705b)
Sealed Application for Electronic Investigation
Sealed Joint Motion for Extension of Time to Indict
Sealed Joint Motion for Pre-Plea PSI and Consolidated Plea/Ser
Sealed Motion
Sealed Motion for Change of Custody
Sealed Motion for Compassionate Release from Custody
Sealed Motion for Downward Departure 5K1.1 (18 USC 3553e)
Sealed Motion for Extension of Time to Seal a Document
Sealed Motion to Reduce Sentence - USSC Amendment (18USC
Sealed Petition to Seal Search/Seizure Warrant

Selected Event
Sealed Application Not to Disclose Search Warrant (2705b)

Next Clear

7. At the Case Selection Confirmation Screen, choose **Yes** and click **Next**.

Restricted Motions
[0:21-mj-00053-TNL In re: Electronic Investigation](#)

Case Selection Confirmation:
In a multi-defendant case, apply this event only to applicable co-defendants:
You selected the case for Defendant(s): **In re: Electronic Investigation.**

Do you see the correct defendant(s) name displayed in red above?
 Yes
 No

Next Clear

8. The ECF Restriction Notice is displayed. Click **Next**.

ECF Restriction Notice:
Both the entry and document have been filed as ExParte.
Only the filing party and the court will have access to the entry and documents. No other parties will be noticed. The entry will not be available on the public docket.

9. Upload initiating document as a PDF file and click **Next**.

10. Choose the application type and check the box indicating this is an extension and click **Next**.

Restricted Motions
[0:21-mj-00053-TNL In re: Electronic Investigation](#)
Select the type of application:
 Search Warrant
 Order pursuant to 18 U.S.C. 2703(d)

 Check if this Application Not to Disclose is an extension.

11. Leave screen blank and click **Next** twice.

Restricted Motions
[0:21-mj-00053-TNL In re: Electronic Investigation](#)
Name of Provider, e.g., Facebook, Google, Twitter:

12. Review page and click **Next** to complete filing.

Restricted Motions
[0:21-mj-00053-TNL In re: Electronic Investigation](#)

Docket Text: Final Text
APPLICATION Extension to Order Not to Disclose Order pursuant to 18 U.S.C. 2703(d) as to In re: Electronic Investigation. (Test Attorney)

Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.
Have you redacted?

Source Document Path (for confirmation only):
C:\fakepath\Test Document 1.pdf pages: 1

13. The **Notice of Electronic Filing** is displayed.

14. Now email mnd_duty_chambers@mnd.uscourts.gov with the case number and documents so that the MJ Duty Clerk can process. *If this step is missed, the Order may not be signed by a Magistrate Judge in a timely manner.*