

UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT

February 9, 2012

Elisabeth A. Shumaker  
Clerk of Court

---

In re:

ADOPTION OF RULES REGARDING  
CAMERAS AND RECORDING  
DEVICES IN THE BYRON WHITE  
UNITED STATES COURTHOUSE

No. 95-01

---

**ORDER**

---

Before **BRISCOE**, Chief Judge, **KELLY**, **LUCERO**, **MURPHY**, **HARTZ**, **O'BRIEN**,  
**TYMKOVICH**, **GORSUCH**, **HOLMES**, and **MATHESON**, Circuit Judges.

---

By order of the en banc court, we hereby adopt D.C. Colo. LCivR 83.1 and corresponding criminal rule D.C. Colo. LCrR 57.4 as applicable in the Byron White United States Courthouse in Denver, Colorado. In addition, we adopt and apply District of Colorado General Order number 2012-1 regarding the enforcement of these rules. The rules, which address the circumstances under which electronic devices may be brought into the courthouse, and the general order, which addresses enforcement, will apply with the same force and effect in the Byron White Courthouse as they do in the United States District Court for the District of Colorado. These rules and the General Order are quoted below.

**CAMERAS AND RECORDING DEVICES**

(D.C.Colo.LCivR 83.1 and D.C.Colo.LCrR 57.4)

- A. Permissible Devices. After clearing security, an electronic device, including, but not limited to, a cellular telephone, a smartphone, a laptop computer, or a personal data assistant (PDA), regardless of the technology used or the name by which the device is marketed, may be brought into any public area in the United States Courthouse or any location in which court business and proceedings are conducted.
- B. Impermissible Uses of Permissible Devices. No person shall use a permissible device defined in Section A to take photographs or to make audio or video recordings in any public area in the United States Courthouse or any other location in which court business and proceedings are conducted. No person shall use a permissible device defined in Section A to take photographs or to make audio or video recordings in any courtroom or chambers except as authorized by the judicial officer having direct control of that space.

**GENERAL ORDER 2012-1**

(United States District Court for the District of Colorado dated January 18, 2012)

Pursuant to D.C.Colo.LCivR 83.1 and D.C.Colo.LCrR 57.4 entitled Cameras and Recording Devices, the use of electronic devices to make audio or video recordings or to take photographs inside the public spaces of facilities in which the district court conducts business and proceedings is prohibited.

Violation of D.C.Colo.L.Civ.R83.1 or D.C.Colo.LCrR 57.4 may constitute contempt punishable by incarceration and the imposition of fines, costs, and attorney fees.

The court authorizes the following agencies, to include those under contract employment of such agencies, to maintain the security of district court spaces in accord with D.C.Colo.LCivR 83.1 and D.C. Colo.LCrR 57.4:

- United States Marshals Service,
- United States Department of Homeland Security Federal Protective Service, and
- United States General Service Administration.

The authority to maintain security through the enforcement of D.C.Colo.LCivR 83.1 and D.C.Colo.LCrR 57.4 may involve overseeing deletion of unauthorized video or audio recordings or photographs of court operations, proceedings, or facility space from electronic devices with the cooperation of device operators or may involve taking possession of the device for the purpose of deleting the same by representatives of the above agencies.

This general order does not affect the action that an individual federal judicial officer may take to enforce D.C.Colo.LCivR 83.1 and D.C.Colo.LCrR 57.4 or to sanction violators.

The rules and general order shall be applicable to the Byron White United States Courthouse effective the date of this order. The clerk is directed to post notice of this order at the public entrance to the courthouse.

Entered for the Court,



ELISABETH A. SHUMAKER  
Clerk of Court