

within its district, may prepermit the regular session of court at Hempstead until Federal quarters and accommodations are available and ready for occupancy, except that for the entire period and such prepermission, a special session of the court shall be held at Westbury. Prepermission may be ordered without regard to the provisions of section 140(a) of title 28, United States Code.

"SEC. 3. Notwithstanding the provisions of section 142 of title 28, United States Code, the Administrator of General Services, at the request of the Director of the Administrative Office of the United States Courts, shall continue to provide existing quarters and accommodations at Westbury for the duration of the special session held pursuant to section 2 of this Act. Appropriations to the judicial branch of Government shall be available to the Director to make necessary disbursements for such quarters and accommodations, and to pay user charges as required by section 210 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490) [see now 40 U.S.C. 586, 587], at rates otherwise authorized by law.

"SEC. 4. Notwithstanding the provisions of section 456 of title 28, United States Code, any judge, and any officer or employee of the judicial branch, whose official station is, on the day before the date of enactment of this Act [Apr. 28, 1978], Westbury, may maintain that official station for the duration of the special session held pursuant to section 2 of this Act.

"SEC. 5. The Director of the Administrative Office of the United States Courts may pay travel and transportation expenses in accordance with subchapter II, chapter 57 of title 5, United States Code, to any officer or employee of the judicial branch whose official station changes as a consequence of this Act [enacting this provision and amending subsec. (c) of this section] and who relocates his residence incident to such change of official station."

§ 113. North Carolina

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

Eastern District

(a) The Eastern District comprises the counties of Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Edgecombe, Franklin, Gates, Granville, Greene, Halifax, Harnett, Hertford, Hyde, Johnston, Jones, Lenoir, Martin, Nash, New Hanover, Northampton, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Pitt, Robeson, Sampson, Tyrrell, Vance, Wake, Warren, Washington, Wayne, Wilson, those portions of Hoke, Moore, Scotland, and Richmond counties encompassing the Fort Bragg Military Reservation and Camp Mackall, and that portion of Durham County encompassing the Federal Correctional Institution, Butner, North Carolina.

Court for the Eastern District shall be held at Elizabeth City, Fayetteville, Greenville, New Bern, Raleigh, Wilmington, and Wilson.

Middle District

(b) MIDDLE DISTRICT.—The Middle District comprises the counties of Alamance, Cabarrus, Caswell, Chatham, Davidson, Davie, Durham (excluding that portion of Durham County encompassing the Federal Correctional Institution, Butner, North Carolina), Forsyth, Guilford, Hoke (excluding that portion of Hoke County

encompassing the Fort Bragg Military Reservation and Camp Mackall), Lee, Montgomery, Moore (excluding that portion of Moore County encompassing the Fort Bragg Military Reservation and Camp Mackall), Orange, Person, Randolph, Richmond (excluding that portion of Richmond County encompassing the Fort Bragg Military Reservation and Camp Mackall), Rockingham, Rowan, Scotland (excluding that portion of Scotland County encompassing the Fort Bragg Military Reservation and Camp Mackall), Stanly, Stokes, Surry, and Yadkin.

Court for the Middle District shall be held at Durham, Greensboro, and Winston-Salem.

Western District

(c) The Western District comprises the counties of Alexander, Alleghany, Anson, Ashe, Avery, Buncombe, Burke, Caldwell, Catawba, Cherokee, Clay, Cleveland, Gaston, Graham, Haywood, Henderson, Iredell, Jackson, Lincoln, McDowell, Macon, Madison, Mecklenburg, Mitchell, Polk, Rutherford, Swain, Transylvania, Union, Watauga, Wilkes, and Yancey.

Court for the Western District shall be held at Asheville, Bryson City, Charlotte, Shelby, and Statesville.

(June 25, 1948, ch. 646, 62 Stat. 886; Pub. L. 89-319, Nov. 2, 1965, 79 Stat. 1186; Pub. L. 96-462, § 5(a)-(c), Oct. 15, 1980, 94 Stat. 2053, 2054; Pub. L. 102-272, Apr. 21, 1992, 106 Stat. 112; Pub. L. 117-26, § 1(a), July 6, 2021, 135 Stat. 299.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., § 179 (Mar. 3, 1911, ch. 231, § 98, 36 Stat. 1120; Oct. 7, 1914, ch. 318, 38 Stat. 728; Mar. 17, 1920, ch. 101, § 1, 41 Stat. 531; June 7, 1924, ch. 359, § 1, 43 Stat. 661; Dec. 24, 1924, ch. 18, 43 Stat. 721; June 12, 1926, ch. 566, 44 Stat. 734; June 22, 1926, ch. 645, 44 Stat. 758; June 22, 1926, ch. 646, 44 Stat. 758; Mar. 2, 1927, ch. 276, 44 Stat. 1339; Apr. 25, 1928, ch. 432, 45 Stat. 457; May 10, 1928, ch. 516, 45 Stat. 495; Feb. 20, 1933, ch. 107, 47 Stat. 859; Feb. 28, 1933, ch. 133, 47 Stat. 1350; June 28, 1935, ch. 330, §§ 1, 2, 49 Stat. 429; June 24, 1936, ch. 744, 49 Stat. 1898; June 24, 1936, ch. 759, 49 Stat. 1910; Aug. 17, 1937, ch. 688, 50 Stat. 671).

References to civil and criminal terms at Raleigh were omitted as more properly the subject of rule of court.

The following language at the end of section 179 of title 28, U.S.C., 1940 ed., was omitted: "There shall be a judge appointed for the said middle district in the manner now provided by law who shall receive the salary provided by law for the judges of the eastern and western districts, and a district attorney, marshal, clerk, and other officers in the manner and at the salary now provided by law. All causes in the said middle district in equity, bankruptcy, or admiralty, in which orders and decrees have already been made and which are now in process of trial, shall continue and remain subject to the jurisdiction of the judge of that district by whom the same shall have been made and before whom the same shall have been partially tried and determined."

The first sentence is superfluous in view of other sections of this title governing the appointment and compensation of the judges, clerks and marshals of the district courts and of district attorneys. The last sentence is obsolete, having been enacted in 1927, and being limited to cases affected by the creation of the middle district.

Provisions for maintenance of offices by the clerks at certain cities were omitted. (See Reviser's Note under sections 452 and 751 of this title.)

Provisions for furnishing rooms and accommodations at Durham, Rockingham, and Winston-Salem were

omitted as obsolete upon advice of the Director of the Administrative Office of the United States Courts that Federal accommodations are now available in such places.

The provisions respecting court accommodations at Bryson City and Shelby were omitted as covered by section 142 of this title.

Changes in arrangement and phraseology were made.

Editorial Notes

AMENDMENTS

2021—Subsec. (a). Pub. L. 117-26, §1(a)(1), substituted “Wilson, those portions of Hoke, Moore, Scotland, and Richmond counties encompassing the Fort Bragg Military Reservation and Camp Mackall, and” for “and Wilson and”.

Subsec. (b). Pub. L. 117-26, §1(a)(2), added subsec. (b) and struck out former subsec. (b) which read as follows: “The Middle District comprises the counties of Alamance, Cabarrus, Caswell, Chatham, Davidson, Davie, Durham (excluding that portion of Durham County encompassing the Federal Correctional Institution, Butner, North Carolina), Forsythe, Guilford, Hoke, Lee, Montgomery, Moore, Orange, Person, Randolph, Richmond, Rockingham, Rowan, Scotland, Stanly, Stokes, Surry, and Yadkin.” Amendment directing striking out subsec. (b) was executed only to the first paragraph and not the concluding sentence, to reflect the probable intent of Congress.

1992—Subsec. (a). Pub. L. 102-272, which directed the amendment of subsec. (a) by striking out “Clinton,” and “Washington,” and inserting “Greenville,” after “Fayetteville,” was executed to the second sentence to reflect the probable intent of Congress.

1980—Subsec. (a). Pub. L. 96-462, §5(a), added that portion of Durham County encompassing the Federal Correctional Institution, Butner, North Carolina to the Eastern District.

Subsec. (b). Pub. L. 96-462, §5(b), struck out references to Alleghany, Ashe, Watauga, and Wilkes counties in the list of counties comprising the Middle District; inserted “(excluding that portion of Durham County encompassing the Federal Correctional Institution, Butner, North Carolina)” in first sentence as the probable intent of Congress; and struck out Rockingham, Salisbury, and Wilkesboro as places for holding court.

Subsec. (c). Pub. L. 96-462, §5(c), added Alleghany, Ashe, Watauga, and Wilkes counties to the Western District.

1965—Pub. L. 89-319 provided for holding court at Clinton.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Pub. L. 117-26, §1(b), July 6, 2021, 135 Stat. 299, provided that “The amendments made by subsection (a) [amending this section] shall not apply to any action commenced or pending in any judicial district of North Carolina before the date of enactment of this Act [July 6, 2021].”

EFFECTIVE DATE OF 1980 AMENDMENT; SAVINGS PROVISIONS

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, §5(d), Oct. 15, 1980, 94 Stat. 2054, provided that: “The amendments made by this section [amending this section] shall not apply to any action commenced before the effective date of such amendments [Oct. 1, 1981] and pending in any judicial district of North Carolina on such date.”

§ 114. North Dakota

North Dakota constitutes one judicial district.

Court shall be held at Bismarck, Fargo, Grand Forks, and Minot.

(Added Pub. L. 111-174, §3, May 27, 2010, 124 Stat. 1216.)

Editorial Notes

PRIOR PROVISIONS

A prior section 114, act June 25, 1948, ch. 646, 62 Stat. 886; Pub. L. 95-408, §3(b), Oct. 2, 1978, 92 Stat. 883, which provided that North Dakota consisted of one judicial district comprising four divisions, was repealed by Pub. L. 111-174, §3, May 27, 2010, 124 Stat. 1216.

§ 115. Ohio

Ohio is divided into two judicial districts to be known as the Northern and Southern Districts of Ohio.

Northern District

(a) The Northern District comprises two divisions.

- (1) The Eastern Division comprises the counties of Ashland, Ashtabula, Carroll, Columbiana, Crawford, Cuyahoga, Geauga, Holmes, Lake, Lorain, Mahoning, Medina, Portage, Richland, Stark, Summit, Trumbull, Tuscarawas, and Wayne.

Court for the Eastern Division shall be held at Cleveland, Youngstown, and Akron.

- (2) The Western Division comprises the counties of Allen, Auglaize, Defiance, Erie, Fulton, Hancock, Hardin, Henry, Huron, Lucas, Marion, Mercer, Ottawa, Paulding, Putnam, Sandusky, Seneca, Van Wert, Williams, Woods, and Wyandot.

Court for the Western Division shall be held at Lima and Toledo.

Southern District

(b) The Southern District comprises two divisions.

- (1) The Western Division comprises the counties of Adams, Brown, Butler, Champaign, Clark, Clermont, Clinton, Darke, Greene, Hamilton, Highland, Lawrence, Miami, Montgomery, Preble, Scioto, Shelby, and Warren.

Court for the Western Division shall be held at Cincinnati and Dayton.

- (2) The Eastern Division comprises the counties of Athens, Belmont, Coshocton, Delaware, Fairfield, Fayette, Franklin, Gallia, Guernsey, Harrison, Hocking, Jackson, Jefferson, Knox, Licking, Logan, Madison, Meigs, Monroe, Morgan, Morrow, Muskingum, Noble, Perry, Pickaway, Pike, Ross, Union, Vinton, and Washington.

Court for the Eastern Division shall be held at Columbus¹ St. Clairsville, and Steubenville.

(June 25, 1948, ch. 646, 62 Stat. 887; Feb. 10, 1954, ch. 6, §2(b)(9), 68 Stat. 11; Pub. L. 107-273, div. C, title I, §11021, Nov. 2, 2002, 116 Stat. 1829.)

¹ So in original. Probably should be followed by a comma.