

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON AND GALVESTON DIVISIONS

United States District Court
Southern District of Texas
ENTERED
APR 22 2020

David J. Bradley, Clerk of Court

By Deputy Clerk 

IN RE: COURT OPERATIONS IN §
THE HOUSTON AND GALVESTON §
DIVISIONS UNDER THE EXIGENT §
CIRCUMSTANCES CREATED §
BY THE COVID-19 PANDEMIC §

SPECIAL ORDER H-2020-13

SECOND SUPPLEMENTAL ORDER

This Order applies in the Houston and Galveston Divisions of the Southern District of Texas and supplements and incorporates by reference Special Order H-2020-9. The court enters the following:

1. All jury trials (criminal and civil) scheduled to begin from this date until July 6, 2020, are continued, to a date to be reset by each presiding judge. Those continuances do not affect any deadlines other than the jury trial dates. Attorneys should contact the presiding judges in their cases if they want to modify other deadlines.

2. Due to the court's reduced ability to obtain an adequate spectrum of jurors and due to the reduced availability of attorneys and court staff to be present in courtrooms because of the public-health risks, the periods of the continuances implemented by this order are excluded under the Speedy Trial Act, 18 U.S.C § 3161 (h)(7)(A). The court finds that the ends of justice served by ordering these continuances outweigh the interest of the public and of each defendant in a speedy trial. Indeed, the best interests of the public are served by these continuances.

3. Any currently scheduled sessions of the Grand Jury in the Houston or Galveston Divisions until July 6, 2020, are continued. Related deadlines are suspended and tolled for all purposes, including the statute of limitations, from this date until July 6, 2020.

4. Individual judges may continue to hold bench trials, in-person hearings, sentencing proceedings, scheduling conferences, and other court proceedings. Counsel may seek relief by appropriate requests or motions. The use of telephone or video conferencing in these proceedings is encouraged when feasible, deemed appropriate by the presiding judge, and permitted by legal and technology constraints.

5. This Order does not impact any judge's continuing discretion to consider and decide particular matters on the pleadings alone. This Order is intended to give each judge discretion to handle his or her docket on a case-by-case basis, aside from the general continuance of jury trials ordered above.

6. Magistrate judges will continue to preside over criminal and civil matters, other than jury trials, including initial appearances, arraignments, detention hearings, the issuance of warrants, and referred civil matters.

7. Any judge may limit the number of individuals present in a courtroom, as circumstances warrant.

8. Any events involving the court that are not case-specific, including continuing legal-education courses, public tours, and naturalization ceremonies conducted by the court, scheduled to occur before July 6, 2020, are canceled. They will be rescheduled as appropriate.

9. This Order does not apply to Bankruptcy Court proceedings. Separate Bankruptcy Court Orders address those proceedings.

10. Unless extended, this Order will expire on July 6, 2020.

11. Our court will continue to meet its constitutional obligations while taking steps to protect the public and our employees.

Signed this 22nd day of April, 2020.

A handwritten signature in black ink, reading "Lee H. Rosenthal". The signature is written in a cursive style with a large, sweeping flourish at the end.

LEE H. ROSENTHAL
CHIEF JUDGE