

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

APRIL 13, 2020

David J. Bradley, Clerk of Court

By Deputy Clerk 

IN RE: COURT OPERATIONS IN THE §
LAREDO DIVISION UNDER THE §
EXIGENT CIRCUMSTANCES §
CREATED BY THE COVID-19 §
PANDEMIC §

SPECIAL ORDER L-2020-7

SUPPLEMENTAL ORDER

This Order applies in the Laredo Division of the Southern District of Texas and supplements and incorporates by reference Special Order L-2020-5 and Special Order L-2020-6. As of the date of this Supplemental Order, there have been two-hundred and six confirmed cases of COVID-19 with eight persons who have passed away related to COVID-19 complications within the Southern District of Texas, Laredo Division. As such, the Court enters the following:

1. All jury trials (criminal and civil) scheduled to begin from this date through May 31, 2020, are continued, to a date 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 Laredo Division through May 31, 2020, are hereby continued. Related deadlines are suspended and tolled for all purposes, including the statute of limitations, from this date through May 31, 2020.

4. Unless the parties in a particular case are notified otherwise, guilty plea proceedings scheduled to take place after March 23, 2020, through May 31, 2020, are continued to a date to be reset by each presiding judge, and guilty pleas not yet set will not be scheduled to occur during this period. The time period of the continuances and delay in setting guilty plea proceedings as implemented by this Order are excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h). The Court finds that the ends of justice served by ordering these continuances and delays outweigh the best interests of the public and each defendant's right to a speedy trial.

5. 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.

6. 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.

7. 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.

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

9. Any events involving the court that are not case-specific, including continuing legal-education courses, public tours, administration of oaths to attorneys, and naturalization ceremonies conducted by the court, scheduled to occur between this date and May 31, 2020 are canceled. They will be rescheduled as appropriate.

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

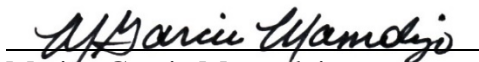
11. Unless extended, this Order remains in effect through May 31, 2020. It will expire on June 1, 2020 absent further order or action.

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

Signed this 13th day of April, 2020.



Diana Saldaña
United States District Judge



Marina Garcia Marmolejo
United States District Judge