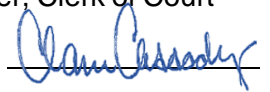


August 6, 2021

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

Nathan Ochsner, Clerk of Court

By Deputy Clerk



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

§  
§  
§  
§  
§

SPECIAL ORDER M-2021-5

SPECIAL ORDER

This Order applies in the McAllen Division of the Southern District of Texas and supplements Special Order M-2020-4.

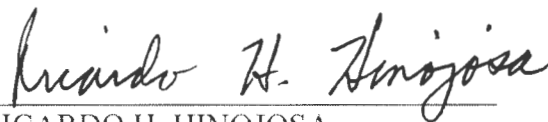
The current surge of COVID-19 cases and Delta variant infections has increased the risks to public health and those involved in selecting juries and conducting jury trials. Although the McAllen Division federal courthouse remains open, the following Order on jury trials is entered:

1. Jury trials (criminal and civil) scheduled to begin from this date through September 6, 2021, 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 public-health risks associated with the COVID-19 pandemic, 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. 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.

4. 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.
5. This Order does not apply to Bankruptcy Court proceedings. Separate Bankruptcy Court Orders address those proceedings.
6. Unless extended, this Order remains in effect through September 6, 2021. It will expire on September 7, 2021, absent further order or action.
7. Our court will continue to meet its constitutional obligations while taking steps to protect the public and our employees. The courthouse remains open, and the courts are working to address pending matters and keep the cases moving toward resolution.


Signed this 6th day of August, 2021.



RICARDO H. HINOJOSA  
U.S. DISTRICT JUDGE



RANDY CRANE  
U.S. DISTRICT JUDGE



MICHAELA ALVAREZ  
U.S. DISTRICT JUDGE

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