

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

FILED

2021 DEC -1 PM 4:30

CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY MD
DEPUTY

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

ORDER

This Order applies in the El Paso Division of the Western District of Texas.

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 El Paso federal courthouse remains open, the following Order on jury trials and other proceedings is entered:

1. Jury trials (criminal and civil) scheduled to begin from this date through January 6, 2022, 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, 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 common proceedings. Counsel may seek relief by appropriate requests or motions. The use of telephone or video conferencing in these proceedings is permissible when deemed appropriate by the presiding judge, and permitted by legal and technological 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. Unless extended, this Order remains in effect through January 6, 2022, absent further order or action


6. 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.

IT IS SO ORDERED.

SIGNED this the 15th day of December, 2021.


KATHLEEN CARDONE
U.S. DISTRICT JUDGE


FRANK MONTALVO
U.S. DISTRICT JUDGE


DAVID GUADERRAMA
U.S. DISTRICT JUDGE


DAVID BRIONES
SENIOR U.S. DISTRICT JUDGE