

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

**IN RE: COURT OPERATIONS UNDER THE
EXIGENT CIRCUMSTANCES CREATED
BY COVID-19**

Miscellaneous No: 1:22-MC-33

ORDER

This Court has issued several standing orders to ensure continued operations since the outset of the COVID-19 pandemic. In doing so, the Court has consulted the recommendations of public health authorities.

Although the President of the United States continues to declare a national emergency due to COVID-19, public health authorities, including the U.S. Centers for Disease Control and Prevention ("CDC"), now recommend optional indoor mask wearing for all COVID-19 Community Levels. This is consistent with the progress of widespread population immunity due to vaccinations, boosters, and prior COVID-19 infection, and the CDC's recognition that the overall risk of severe disease is now generally lower. Accordingly,

IT IS **ORDERED** that:

1. All prior requirements that individuals wear facial masks in common areas of courthouses for COVID-19 reasons are **SUSPENDED**. Effective the date of this order, masks are **OPTIONAL** for all

persons seeking entry to or occupying any courthouse in the United States District Court for the Northern District of West Virginia.

2. This Order does not preclude Judges, Court Unit Executives, and individual federal employers from setting their own masking and other guidance for their own employees and anyone within their own workspaces.
3. Judges may implement their own mask requirements during their own court hearings, including events involving larger gatherings of participants (e.g., naturalization ceremonies and jury trials).
4. Grand jury proceedings will continue at the discretion of, and in the manner prescribed by the Presiding Judge.
5. The following Orders and Public Advisory are hereby **RESCINDED**: January 12, 2022, Third Amended Standing Order 3:20-MC-21; June 4, 2021, Amended Standing Order 3:20-MC-51; and March 20, 2020, Public Advisory Regarding Operating Procedures in Response to COVID-19.
6. The August 10, 2022, Tenth Extension of Authorities Contained in Order Re: Remote Proceedings in Criminal Case Operations Due to COVID-19 Response remains in effect and unchanged.
7. Anyone desiring an accommodation for any proceeding or matter because of a pandemic-related health reason should apply to the Presiding Judge for relief.

The Court **DIRECTS** the Clerk to transmit copies of this Order to the United States Attorney, Federal Public Defender, United States Marshal, Chief United States Probation Officer, and General Services Administration.

DATED: August 26, 2022

A handwritten signature in black ink that reads "Tom S. Kleeh". The signature is written in a cursive, slightly slanted style.

Honorable Thomas S. Kleeh
Chief Judge
United States District Court