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June 23, 2020	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

IN RE: COVID-19 TESTING OF FEDERAL  
PRETRIAL DETAINEES SCHEDULED FOR  
IN-PERSON HEARINGS

**TEMPORARY GENERAL ORDER  
2020-09**

In response to the recent outbreak of the coronavirus disease 2019 (“COVID-19”) in the District of Nevada, the Court has issued a series of general orders changing how the Court operates to do its part in containing the spread of COVID-19. See Temporary General Orders 2020-02, 2020-03, 2020-04, 2020-05, 2020-8.<sup>1</sup> The Court has begun incrementally resuming in-person hearings, in a phased approach based on recommended health guidelines. As the Court prepares to gradually resume in-person hearings involving in-custody defendants, the Court finds it necessary to adopt additional safety measures.

The vast majority of federal criminal defendants detained pretrial are held at the Nevada Southern Detention Center (“NSDC”) and the Washoe County Detention Facility (“WCDF”). Resuming in-person hearings with in-custody defendants held at these two facilities will require increased close contact with the United States Marshals Service, Pretrial Services, Probation, attorneys, and court personnel. To protect the health and safety of all, and ensure the efficient administration of justice, as Chief Judge I hereby order the following.

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<sup>1</sup>Available at <https://www.nvd.uscourts.gov/court-information/rules-and-orders/general-orders/>.

1           1.       The United States Marshals Services for the District of Nevada (“USMS”)  
2 will take reasonable steps to ensure that in-custody defendants scheduled to appear for  
3 in-person court hearings are tested for COVID-19 before the hearing, and with the  
4 defendant’s consent. Where the defendant is scheduled for an in-person court  
5 appearance that will last more than one day or is scheduled for multiple court  
6 appearances within a short period of time, the USMS will exercise discretion in  
7 determining if additional testing is needed after the initial in-person court appearance.  
8 Where practicable and depending on space availability, the USMS should ensure: (1)  
9 the detainee is placed in quarantine following the test’s administration and prior to the  
10 hearing to protect against further exposure before transport to court; and (2) the detainee  
11 is placed in quarantine for 14 days following an in-person court appearance to minimize  
12 the risk of introducing new COVID-19 into NSDC or WCDF.

13           2.       Test results will not be immediately available and may take several days.  
14 Therefore, the use of video conferencing, or telephone conferencing if video  
15 conferencing is not readily available, remains appropriate and should continue for initial  
16 appearances, arraignments, detention hearings, and preliminary hearings upon the  
17 consent of the defendant.<sup>2</sup>

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25           <sup>2</sup>Section 15002(b) of the CARES Act lists the events for which video or telephonic  
26 conferencing is appropriate, and the Court has previously authorized their use. See  
27 Temporary General Order 2020-05.

1           3.     The Clerk's Office staff will coordinate with the USMS to provide the  
2 names of in-custody defendants who are scheduled for in-person hearings in advance  
3 to ensure NSDC and WCDF have sufficient time to administer the test, and to avoid any  
4 unnecessary testing for canceled or moved hearings.

5           This Order is effective until further notice.

6           DATED THIS 23<sup>rd</sup> day of June 2020.

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11 MIRANDA M. DU, CHIEF JUDGE  
12 UNITED STATES DISTRICT COURT FOR  
13 THE DISTRICT OF NEVADA  
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