

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**IN RE: COURT OPERATIONS UNDER :       STANDING ORDER 2020-29**  
**THE EXIGENT CIRCUMSTANCES       :**  
**CREATED BY COVID-19                :**

**STANDING ORDER**

**WHEREAS**, state and federal public health officials have advised that in the past several weeks there have been material, persistent and significant increased numerical occurrences and positivity rates of COVID-19 infections and accompanying hospitalizations in the Commonwealth of Pennsylvania, as well the counties which make up the Middle District of Pennsylvania;

**WHEREAS**, the said public health officials have observed a recurring COVID-19 infection surge nationally and regionally in the prevalence of positive COVID-19 cases, testing positivity and hospitalizations, all of which are anticipated by public health authorities to persist and expand in the coming weeks, and that as a result of the same, the public health situation in terms of community spread of the COVID-19 virus is trending in a materially negative direction;

**WHEREAS**, in order to further the public health and safety, the health and safety of Court personnel, counsel, litigants, other case participants, jurors, security personnel and the general public, and in order to reduce the number of gatherings necessarily attendant to trial jury selection in this Court, and in order to minimize travel by participants in court proceedings, it is hereby **ORDERED** as follows:

1. Effective this date, all civil and criminal case jury selections and civil and criminal case jury trials in the Middle District of Pennsylvania scheduled to begin before **January 11, 2021** are continued pending further Order of the Court. The Court may issue further Orders concerning this or future general or specific continuances as may be deemed necessary and appropriate. All jury selections and trials affected by this Order will be reset by further Order of the assigned judicial officer.
2. The time-period of the date of this Order through January 11, 2021 shall be “excluded time” under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), the Court specifically finding and concluding that the ends of justice served by taking such actions and by such delay materially outweigh the best interests of the public and the defendants in a speedy trial in all such pending criminal cases, because, at least, the health and safety circumstances caused by COVID-19 make it necessarily and equally highly unlikely that a jury can be empaneled in any criminal cases under the current public health circumstances and under the applicable directives and orders of relevant local, state and federal health and governmental authorities. Specifically, the Court further finds and concludes that such exclusion is necessary in all cases to assure that as to cases going to trial, a full, unhindered, continuously serving jury venire and seated jury in every case, which is central to the sound administration of justice, is available. Such exclusion of time is further and also necessary in cases not yet set for trial, and in those cases previously set for trial but continued by this or other Order, in order to address the current actual, and reasonably anticipated future, profound difficulties or impossibility in defense counsel quickly and effectively communicating with or visiting with detained clients for the purposes of trial preparation and consultation

between client and counsel, along with the inherent delay in the scheduling and rescheduling of criminal trials as a consequence of the exclusion period herein and as contained in prior Orders of this Court. The Court may by further Order extend or modify the period of exclusion as circumstances may warrant, and the assigned judicial officer may by Order also do so relative to any specific proceeding.

Dated: November 19, 2020

BY THE COURT:

s/ John E. Jones III  
Hon. John E. Jones III, Chief Judge  
United States District Court  
Middle District of Pennsylvania