

FILED

Feb 02 2021

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY s/ tinab DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

In the matter of)
RENEWED SUSPENSION OF)
JURY TRIALS AND OTHER)
IN-PERSON PROCEEDINGS)
DURING COVID-19 PUBLIC)
EMERGENCY)
_____)

Chief Judge Order No. 60

On January 25, 2021, Chief Judge Order (CJO) 56 issued and provided for the use of video teleconferencing, or telephone conferencing if video conferencing is not reasonably available, for certain criminal proceedings pursuant to the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”). CJO 56 is in effect until March 8, 2021.

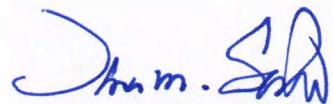
This Order temporarily reinstates this Court’s previously imposed moratorium on conducting in-person court proceedings until March 8, 2021. Except for convening jury trials, individual district judges retain discretion, on a case by case basis, to schedule in-person criminal and civil proceedings, including bench trials, and otherwise take such actions as may be lawful and appropriate to ensure the fairness of the proceedings and preserve the rights of the parties. In doing so, judges must consider in each individual case whether convening an in-person hearing poses a serious threat to health and safety.

All jury trials in criminal and civil cases in the Southern District of California in which a trial date was previously set are continued until March 8, 2021. New trial or status dates will be set in individual cases on or after March 8, 2021, unless this Order is extended. However, all previously set trial-specific deadlines relating to pending criminal cases, including those for filing motions *in limine* and jury instructions, exchanging exhibits, and providing notice of expert witnesses remain in effect. Individual district judges may continue trial-specific deadlines in civil cases at their discretion. New dates will be set in individual civil cases on or before March 8, 2021, unless this Order is extended.

On its own motion, the Court finds that the period of suspension of criminal trials and other criminal proceedings implemented by this Order is excluded under the Speedy Trial Act. Under 18 U.S.C. § 3161(h)(7)(A), the Court finds that this temporary suspension of in-person proceedings serves the ends of justice and outweighs the interests of the public, of the government, and of criminal defendants in a speedy trial. The Court also relies on the previously issued Judicial Emergency Declaration under 18 U.S.C. § 3174. The period of exclusion will be in effect from the date of this Order until March 8, 2021, absent further order of the Court or that of any individual district judge. The Court may extend the period of exclusion as circumstances warrant. However, this Order does not toll any statutes of limitations or any statutory deadline for the filing of an appeal.

IT IS SO ORDERED.

Dated: 2-2-21



DANA M. SABRAW
Chief United States District Judge