

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

IN THE MATTER OF:
COURT OPERATIONS IN LIGHT OF
THE CORONAVIRUS OUTBREAK

20-MC-00004-9

ADMINISTRATIVE ORDER

This Order is being issued in response to the recent outbreak of Coronavirus Disease 2019 (COVID-19) and the well-documented concerns surrounding it. The United States Centers for Disease Control and Prevention reports that the spread of COVID-19 is a pandemic. Earlier today the President of the United States declared a national emergency and, earlier this week, the Governor of the State of New Mexico declared a state of public health emergency, similar to declarations issued by other governors. Numerous courts across the country, including the United States Supreme Court, have taken proactive measures to combat the spread of COVID-19. Professional and collegiate sporting tournaments and events have been cancelled or postponed, and entertainment venues throughout the United States have been closed to prevent the spread of COVID-19. Accordingly, in order to protect public health with the goal of reducing the size of public gatherings while balancing the fair administration of justice, the Court **ORDERS** the following safety measures effective Monday, March 16, 2020:

1. All civil and criminal jury trials scheduled to commence on or before April 10, 2020 in the District of New Mexico, are **CONTINUED** pending further Order of the Court. The Court may issue other orders concerning future continuances as necessary and appropriate.
2. All trial-specific deadlines in criminal cases scheduled to begin before April 10,

2020, are **CONTINUED** pending further order of the Court. Individual judges may continue trial-specific deadlines in civil cases at their discretion.

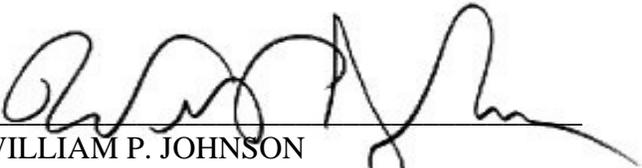
3. All grand jury proceedings in the District of New Mexico are **CONTINUED** pending further order of the Court. Due to the unavailability of a grand jury in this District during the pendency of this Order, the 30-day time period for filing an indictment is tolled as to each defendant until this Order terminates. *See* 18 U.S.C. § 3161(b).
4. Individual judges presiding over criminal proceedings may take such actions consistent with this Order as may be lawful and appropriate to ensure the fairness of the proceedings and preserve the rights of the parties.
5. Due to the Court's reduced ability to obtain an adequate spectrum of jurors and the effect of the public health recommendations on the availability of counsel and Court staff to be present in the courtroom, the time period of the continuances implemented by this Order shall be excluded under the Speedy Trial Act. The Court finds that the ends of justice served by ordering the continuances of all grand jury proceedings and criminal jury trials outweigh each defendant's right to and the public's interest in speedy indictment or trial. Therefore, the time period of the continuances implemented by this Order will be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), subject to the entry of an order addressing the same by the presiding judge in each case. Individual judges presiding over criminal proceedings may take such actions consistent with this Order as may be lawful and appropriate to ensure the fairness of the proceedings and preserve the rights of the parties, particularly where defendants are detained pending trial. Any motion by a criminal defendant

seeking an exception to any provisions of this Order should be directed to the presiding District Judge. Absent further order of the Court, the period of the exclusion shall be from March 16, 2020, through April 10, 2020.

6. This Order does not address or limit the scheduling of non-jury criminal and civil trials, hearings, and events in the District of New Mexico.
7. The Clerk's Office, United States Probation, United States Pretrial Services, and all other Court services shall remain open pending further order of the Court.

SO ORDERED this 13th day of March, 2020.

FOR THE COURT:



WILLIAM P. JOHNSON
CHIEF UNITED STATES DISTRICT JUDGE

MIME-Version:1.0
From:cmecfbb@mmd.uscourts.gov
To:cmecfto@mmd.uscourts.gov
Bcc:
--Case Participants:
--Non Case Participants:
--No Notice Sent:

Message-Id:<10718950@mmd.uscourts.gov>
Subject:Activity in Case 1:20-mc-00004 Administrative Orders Notice (Other)
Content-Type: text/html

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U.S. District Court
District of New Mexico - Version 6.2.4

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Case Number: [1:20-mc-00004](#)
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Docket Text:
[ADMINISTRATIVE ORDER: In the Matter of Court Operations in Light of the Coronavirus Outbreak \(mre\)](#)

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