

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

IN RE: ADMINISTRATIVE ORDER
NO. 2020-3

PANDEMIC RELATED CURTAILED OPERATIONS

SECOND AMENDED ADMINISTRATIVE ORDER

Administrative Order 2020-1 is hereby amended as follows:

Whereas, the Governor of the State of Louisiana issued a “Stay at Home” Order (Proclamation Number 33 JBE 2020, the “Order”) directing “all individuals within the state of Louisiana” to “stay home unless performing an essential activity” effective from 5pm March 23, 2020 until April 13, 2020, unless terminated sooner. While the Court performs functions essential to the administration of Justice and the Constitution and Laws of the United States, the statewide “Stay at Home” Order has a real and practical effect on the Court’s ability to obtain jurors and to summons witnesses, as well as counsel’s ability to attend in-person Court proceedings.

The following specific provisions of the Court’s Administrative Order are amended as follows:

4. With regard to criminal matters, due to the effect of the Order and the recommendations from the above public health organizations, the Court's reduced ability to obtain an adequate spectrum of jurors, summon witnesses, and the availability of counsel and Court staff to be present in the courtroom, the time period of the postponements implemented by this Administrative Order will be excluded under the Speedy Trial Act, as the Court specifically finds that the ends

of justice served by ordering the postponements outweigh the best interest of the public and the failure to suspend the delays result in a miscarriage of justice pursuant to 18 U.S.C. § 3161(h)(7)(A). Furthermore, the District Judges of this District having conferred, resolve that “the need for suspension of time limits” under the Speedy Trial Act “is of great urgency” as contemplated by 18 U.S.C. 3174(e).

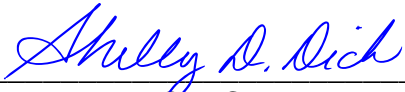
5. Until further order of this Court, initial appearances in criminal matters before Magistrate Judges pursuant to Rule 5 of the Federal Rules of Criminal Procedure shall be conducted, with consent of the defendant, by video conference, or as otherwise ordered by the Court or the presiding Magistrate Judge.
6. Criminal matters before Magistrate Judges, such as arraignments, detention hearings (and appeals to district judges from detention orders), and the issuance of search warrants, shall continue to take place in the ordinary course, or by video conference, with consent of the defendant, at the discretion of the assigned judge until further order of this Court.

12. No in-person filings will be accepted through April 13, 2020 or until further order of this Court. Filings in sealed matters which are required to be filed conventionally (in-person) pursuant to administrative procedures shall be filed 1) by facsimile to (225) 389-3501 or 2) by sending an electronically signed pleading in PDF format via encrypted or secure email (if available) to sealedwb@lamd.uscourts.gov. Non-sealed pleadings and sealed pleadings that are not required to be filed conventionally pursuant to administrative procedures should not be submitted to this email box and must be submitted for filing through CM/ECF. Electronic filing

via the CMECF system will be fully functional and help desk support will be available. Online resources are available at <http://www.lamd.uscourts.gov/>, via email at cmecfhelpdesk@lamd.uscourts.gov or via telephone at (225) 389-3552. The public is encouraged to use online court resources or contact the Court by telephone.

This Order will remain in effect until further order of this Court.

Baton Rouge, Louisiana, this 24th day of March 2020.



SHELLY D. DICK, CHIEF UNITED STATES DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA