

U.S. District Court
N.D.N.Y.
Filed
May 12, 2021
John M. Domurad, Clerk

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF NEW YORK**

GENERAL ORDER #58

**REVISED April 29, 2020; May 13, 2020; June 12, 2020; August 6, 2020;
October 8, 2020; December 4, 2020; February 24, 2021; March 3, 2021; May 12, 2021**

IN RE: CORONAVIRUS COVID-19 PUBLIC EMERGENCY

WHEREAS, the Governor of the State of New York has declared a public health emergency through the State;

WHEREAS, the Center for Disease Control and Prevention has advised people to take precautions in light of the COVID-19 virus (Coronavirus) outbreak, and has noted that the best way to prevent illness is to avoid being exposed to the virus;

AND

IT IS HEREBY ORDERED, effective immediately, that:

- 1) All civil jury selections and jury trials scheduled to commence now through **May 15, 2021** before any district or magistrate judge in any courthouse in the Northern District of New York are continued pending further Order of the Court. All criminal jury selections and jury trials scheduled to commence now through **May 15, 2021** before any district or magistrate judge in any courthouse in the Northern District of New York are continued pending further Order of the Court, subject to a review of the COVID-19 infection rates;

- 2) Case-by-case exceptions to the postponements may be ordered at the discretion of the Court after consultation with counsel.
- 3) With regard to criminal trials, due to the Court's reduced ability to obtain an adequate spectrum of jurors and the effect of the above 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 General Order will be excluded under the speedy Trial Act, as the court specifically finds that the ends of justice served by ordering the continuances outweigh the best interests of the public and each defendant in a speedy trial, pursuant to 18 U.S.C. §3161(h)(7)(A).
- 4) Criminal matters before magistrate judges, such as initial appearances, 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.
- 5) This order does not affect the Court's consideration of civil or criminal motions that can be resolved without oral argument or handled by telephone or video conference.
- 6) All mass public gatherings, other than court proceedings, are suspended at all courthouses and federal buildings in the district. This includes, but is not limited to group tours and visits, moot courts and mock trials, bar group meetings, seminars, and naturalization ceremonies.

The Northern District of New York courthouses remain open for all other business. Staff in the Clerk's office are available by telephone, mail will be received, and public counters remain open for filings. Electronic filings may still be made through the CM/ECF system. The public is encouraged to continue utilizing court services while following all applicable public health

guidelines. This order will remain in effect until **May 30, 2021** unless otherwise revised or extended by the Court.

Dated this 12th day of May, 2021 at Syracuse, New York



Hon. Glenn T. Suddaby
Chief U.S. District Judge