

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

IN RE:	:	
	:	
FOURTH EXTENSION OF	:	STANDING ORDER
ADJUSTMENTS TO COURT	:	
OPERATIONS DUE TO THE	:	
EXIGENT CIRCUMSTANCES	:	
CREATED BY COVID-19	:	

This Order is issued in furtherance of the Court’s prior Standing Orders issued on March 13, 2020, March 18, 2020, April 10, 2020, May 29, 2020, and June 30, 2020, which implemented and extended certain adjustments to Court operations due to the exigent circumstances created by the ongoing coronavirus disease 2019 (COVID-19) pandemic and in the interest of public health and safety.

The COVID-19 pandemic continues to significantly impact Court operations in this district, as outlined in the Court’s prior Standing Orders. Although the stay-at-home orders and some of the other restrictions previously in place in the counties in this district have been lifted, as the region has begun to reopen, the number of new cases of COVID-19 has begun to increase. Since the June 30 Standing Order was issued, the number of cases of COVID-19 in this district has increased to more than 74,000. The rising new case counts in the Commonwealth of Pennsylvania have led the Governor and the Secretary of Health to impose new restrictions, including requiring the wearing of face coverings in public settings, prohibiting indoor events and gatherings of more than 25 persons, and requiring businesses to conduct their operations through individual teleworking whenever possible. Government officials and public health authorities at the Federal, State, and local levels continue to stress the need for precautions to avoid exposure to the virus and prevent its spread, including maintaining six feet of physical distance from others,

avoiding public transportation when possible, limiting nonessential travel, working from home, avoiding large gatherings, and wearing masks or face coverings in public.

The June 30 Standing Order addressed, among other matters, meetings of impaneled grand juries, which were suspended entirely in this district from March 18, 2020, through June 30, 2020. Anticipating the possibility that grand juries might be able to resume meeting in July, with special precautions and accommodations to protect the health and safety of all participants, the Court did not continue the suspension of grand jury meetings. Because grand juries remained unavailable due to the existing public health situation, however, the Order extended the continuance of the deadlines for filing an indictment or information under 18 U.S.C. § 3161(b) and (d)(1) through the earlier of July 31, 2020, or the date the requisite quorum of grand jurors was obtained to consider the particular matter.

The COVID-19 pandemic continues to adversely impact the Court's ability to convene meetings of impaneled grand juries. As a result of the pandemic, fewer grand juries remain in service. The Court has been unable to impanel new grand juries to replace those that can no longer meet, as grand jury selections have been continued through at least August 31, 2020, due to the large number of prospective grand jurors that would have to be summoned and the health and safety issues involved. The pandemic and issues relating to the pandemic have also significantly reduced the number of sitting grand jurors available for continued service on the remaining grand juries. As a result, despite extraordinary efforts by Court staff and the U.S. Attorney's Office, the Court has been able to obtain a quorum of grand jurors for only a limited number of sessions, and far fewer than the number planned, to date. The Court anticipates the possibility of additional meetings of impaneled grand juries on a similarly limited basis in August 2020. However, because grand juries continue to be unavailable in most instances in this district, the deadlines for filing an

indictment or information under 18 U.S.C. § 3161(b) and (d)(1), which were previously continued in the Standing Orders issued on March 18, April 10, May 29, and June 30, shall remain continued through the earlier of August 31, 2020, or the date the requisite quorum of grand jurors is obtained to consider the particular case. The Court finds the ends of justice served by granting a continuance outweigh the best interest of the public and each defendant in a speedy trial. In light of the ongoing COVID-19 public health emergency and its impact on the continued operation of grand juries in this district, it is unreasonable to expect return and filing of an indictment within the period specified under § 3161(b). *See* 18 U.S.C. § 3161(h)(7)(B)(iii). In computing the time within which an indictment or information must be filed under 18 U.S.C. § 3161(b) or (d)(1), the additional period of time from July 31, 2020, through the earlier of August 31, 2020, or the date the requisite quorum of grand jurors is obtained to consider the particular case, shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), in all cases in this district. This period of exclusion is in addition to the period of exclusion previously granted for the time period from March 18, 2020, through July 31, 2020. The Court may extend the period of exclusion as circumstances warrant. Any motion by a criminal defendant seeking an exception to this Standing Order for the purpose of exercising the defendant's speedy trial rights shall be referred to the Chief Judge.

Except as modified herein, the May 29, 2020, and June 30, 2020, Standing Orders remain in effect.

IT IS SO ORDERED.

/s/ Juan R. Sánchez
Juan R. Sánchez
Chief Judge

Date: July 31, 2020