

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA**

**IN RE: COURT OPERATIONS
UNDER THE EXIGENT
CIRCUMSTANCES
CREATED BY COVID-19**

Case No. 4:95mc40111

ADMINISTRATIVE ORDER

In compliance with guidance issued by the Centers for Disease Control and Prevention (CDC) and national and local authorities regarding the spread of the novel coronavirus (COVID-19), the Court has determined that, effective immediately, the United States Courthouse and the Winston E. Arnow Federal Building, located in the Pensacola Division of the Court, must be temporarily closed to the public and will remain closed to the public until further notice.

Staff in the Pensacola Division Clerk's Office will remain available by telephone, but the public intake counter will not be accessible to the public. Those without access to the Court's electronic filing system must submit non-emergency filings by mail. If an individual needs to file an emergency filing in paper, filers must contact the Clerk's Office to notify the Court and make arrangements to submit the filing.

The Pensacola Division grand jury proceeding scheduled for Tuesday, July 21, 2020, will be rescheduled. The Court finds that the ends-of-justice are served by suspending the 30-day statutory speedy trial time period set forth in 18 U.S.C. § 3161(b), resetting the 30-day period to begin anew on the date this Court permits grand juries in the Pensacola Division to resume meeting, and excluding the period of time between the date on which a Defendant is arrested and the date on which this Court first permits grand juries in the Pensacola Division to resume meeting, for all Speedy Trial Act purposes.

This action is necessary to avoid a miscarriage of justice and also to avoid unnecessary risk to grand jurors, the Defendant, witnesses, counsel, Court staff, and the public. Good cause exists for a finding of excludable time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7), because the ends of justice in granting such suspensions and continuances outweigh the best interest of the public and the defendant in a speedy indictment and speedy trial. This action is not based on congestion of the Court's calendar, lack of diligent preparation on the part of the attorney(s) for the government, or failure on the part of the attorney(s) for the government to obtain available witnesses.

All Pensacola and Panama City Division Central Violations Bureau (CVB) initial appearances scheduled for July 15, 2020, will be rescheduled.

All initial appearances, detention hearings, and arraignments for the Pensacola and Panama City Divisions from July 13, 2020 through July 24, 2020, will be held before Magistrate Judge Martin A. Fitzpatrick. Initial appearances, detention hearings, and arraignments for Pensacola and Panama City Division in-custody defendants may be conducted via video teleconference or in-person, as directed by Magistrate Judge Fitzpatrick. The court will presume that a defendant consents to conducting proceedings via video teleconference unless a defendant timely objects. *See* Fed. R. Crim. P. 5(f) and 10(c).

Any male defendant arrested from July 13, 2020 through July 24, 2020, pursuant to federal law in Pensacola or Panama City Divisions of the Northern District of Florida, will be transported by the arresting agency to the Federal Detention Center in Tallahassee, Florida. Any female defendant arrested from July 13, 2020, through July 24, 2020, pursuant to federal law in Pensacola or Panama City Divisions of the Northern District of Florida will be transported by the arresting agency to United States Courthouse in the Tallahassee Division for her initial appearance, detention hearing, and arraignment. Initial appearances, detention hearings, and arraignments

for defendants who are not in custody will be scheduled on a case-by-case basis as directed by Magistrate Judge Fitzpatrick.

The Court recognizes that Court operations during the COVID-19 pandemic continue to evolve and will issue additional Administrative Orders as necessary based on recommendations from other federal and state government and health officials.

DONE AND ORDERED this 13th day of July, 2020.

s/ Mark E. Walker
Chief United States District Judge