



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

IN RE:)
)
)
 FURTHER EXTENDING TEMPORARY)
 RESTRICTIONS ON COURTHOUSE)
 ACCESS AND IN COURT HEARINGS)
 UNTIL FURTHER NOTICE)
 _____)

GENERAL ORDER NO. 618

WHEREAS, the court previously has issued General Orders addressing the national, regional and local public health emergency posed by the coronavirus (COVID-19) outbreak by continuing all trials and closing its courthouses to the public until June 1, 2020;

WHEREAS, since issuance of the court’s prior orders, the President of the United States has provided guidelines for reopening public institutions, businesses and the economy generally, accompanied by proposed gating criteria for states or regions to satisfy before proceeding to a phased resumption of services and operations;

WHEREAS, the Governor of California has announced that the statewide stay home order he issued on March 19, 2020 remains in effect until further notice, with modifications as of May 8 and 12 effecting a gradual reopening of lower-risk workplaces, with further reopening subject to compliance with defined readiness criteria;

WHEREAS, many of the 34 counties within the Eastern District of California continue to maintain local public health orders supplementing the State of California’s stay home order and requiring measures to manage the spread of the virus and limit the potential for the illness and death it can cause;

AND WHEREAS, the Judges of the United States District Court for the Eastern District of California, in consultation with the Clerk of Court, continue to closely monitor developments and balance the various interests implicated by the COVID-19 outbreak and the court's response to the outbreak, including: the health of jurors, witnesses, parties, attorneys, the public whom it is our privilege to serve, Clerk's Office and all court staff, Probation and Pretrial Services staff, chambers staff and judges; the constitutional rights of criminal defendants and other parties; and the public's interest in, and the court's duty to ensure, the effective and expeditious administration of justice;

NOW THEREFORE, in light of the best information available to the Judges of the Eastern District of California at this time, **until further notice**, on behalf of the Court, I hereby issue the following Order superseding the prior General Order issued on April 17, 2020:

1. In light of the ongoing coronavirus (COVID-19) pandemic, all courthouses of the United States District Court for the Eastern District of California shall remain closed to the public. Only persons having official court business as authorized by a Judge of the District Court or the Bankruptcy Court, or a healthy building tenant having official business on behalf of a tenant agency, may enter courthouse property. This order applies to the following divisional locations:

- (1) The Robert T. Matsui United States Courthouse, 501 I Street, Sacramento;
- (2) The Robert E. Coyle United States Courthouse, 2500 Tulare Street, Fresno;
- (3) The Redding Federal Courthouse, 2986 Bechelli Lane, Redding;
- (4) The Bakersfield Federal Courthouse, 510 19th Street, Bakersfield;
- (5) The Yosemite Federal Courthouse, 9004 Castle Cliff Court, Yosemite; and
- (6) The Modesto U.S. Bankruptcy Court, 1200 I Street, Second Floor, Modesto.

2. The court will not call in jurors for service in civil or criminal jury trials **until further notice**.

3. All of the court's civil matters will continue to be decided on the papers, or if the assigned Judge believes a hearing is necessary, the hearing will be by telephone or videoconference. This applies to all matters including motion hearings, case management conferences, pretrial conferences and settlement conferences.

4. In civil matters and bankruptcy matters in which parties represent themselves (pro se litigants), those parties are strongly encouraged to file documents by mail. For those unable to file by mail the court is providing drop boxes for filing inside the entrances to the Sacramento, Fresno and Modesto courthouses, where Clerk's Offices otherwise previously have accepted hand-delivered pro se filings.

5. In the court's criminal matters all initial appearances, arraignments and other essential proceedings will continue to be held before the duty Magistrate Judges, unless the parties agree to continue them; to the full extent possible matters that are maintained on calendar shall be conducted by telephone or video conference as provided by General Order 614, which remains in effect.

6. In criminal cases before the District Judges, the assigned District Judge may exercise his or her authority to continue matters, excluding time under the Speedy Trial Act with reference to the court's prior General Order 611 issued on March 17, 2020, the court's subsequent declaration of a judicial emergency based on 18 U.S.C. § 3174, and the Ninth Circuit Judicial Council's Order of April 16, 2020 continuing this court's judicial emergency for an additional one-year period and suspending the time limits of 18 U.S.C. § 3161(c) until May 2, 2021, with additional findings to support the exclusion in the Judge's discretion; if any criminal matters are maintained on calendar, to the full extent possible they shall be conducted by telephone or video conference, also as provided by General Order 614.

7. Any Judge may order case-by-case exceptions to any of the above numbered provisions at the discretion of that Judge or upon the request of counsel, after consultation with counsel and the Clerk of the Court to the extent such an order will impact court staff and operations.

IT IS SO ORDERED.

DATED: May 13, 2020.

FOR THE COURT:



KIMBERLY J. MUELLER
CHIEF UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF CALIFORNIA