

FILED
RICHARD W. NAGEL
CLERK OF COURT

2020 OCT 22 PM 7:40

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
EAST DIV. COLUMBUS

UNITED DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

In Re:

**ORDER OF PARTIAL
SEQUESTRATION FOR ALL JURY
TRIALS AND GRAND JURY
SESSIONS HELD IN THE SOUTHERN
DISTRICT OF OHIO**

GENERAL ORDER 20-30

This Court issues this General Order as an additional Order in a series of General Orders that the Court has issued in response to the continuing spread of the Coronavirus Disease (COVID-19) in the Southern District of Ohio and elsewhere. There are thousands of confirmed cases of COVID-19 throughout the Southern District of Ohio generally, and in each seat of Court in the Southern District of Ohio: Columbus, Cincinnati and Dayton. The Court continues to monitor developments relating to the spread of COVID-19 and to make operational adjustments that seek to preserve public access to the Court, and that enable the Court safely to perform its customary functions, while also protecting the health of the Court's staff and the constituencies the Court serves. The spread of COVID-19 has been so pernicious that the President of the United States has invoked the National Emergencies Act, 50 U.S. C. § 1601, et seq., and the Governor of the State of Ohio, Mike DeWine, has declared a current COVID-19 advisory status of red (the second highest of the four levels) for the three cities in the Southern District of Ohio in which courthouses are located. In addition, a majority of citizens in the District live in counties classified as red.

By General Order 20-27, this Court declared, *inter alia*, that criminal jury trials and other in-Court criminal evidentiary proceedings could resume on or after October 1, 2020. That Order further allows the grand jury to convene in a limited class of cases: thirty-day cases: ongoing

historical cases, and a limited number of economic crime cases. Moreover, the Order also allows that, if a Judicial Officer determines that in the interests of justice it is necessary to proceed with a civil jury trial or other in-Court civil proceeding, the Judicial Officer may do so. In the event that either a criminal jury trial or evidentiary hearing proceeds, or if a civil jury trial or in-Court civil matter must proceed, then such proceeding must be held in one of six plexiglass-equipped courtrooms within the three federal courthouses in the Southern District of Ohio.

In light of the fact that jury trials will resume in the Southern District of Ohio pursuant to General Order 20-27, and that grand jury sessions will occur at least in limited circumstances, and in light of the ongoing continuous and exponential spread of COVID-19, it is necessary to make certain provisions with respect to juror meals to ensure the safety of jurors. Based on this Court's findings that there exists in the Southern District of Ohio a combination of: (1) indicators from health officials that the virus is not contained in the State of Ohio or the Southern District of Ohio; and (2) an emergency nature of a trial or grand jury session that will not allow the Court to delay until it is safer to call jurors to report, in my capacity as Chief Judge, I hereby enter this Order of Partial Sequestration pursuant to 28 U.S.C. § 1871(e), instructing that the jurors are to be "kept together and not to separate" for their safety and security during the time that they are at the courthouse. With this Order, the Court may procure meals for said semi-sequestered jurors and charge the costs of the juror meals and the delivery fee to the juror fee appropriation.

This order will remain in full force and effect until further notice.

IT IS SO ORDERED.



DATED: October 22, 2020

**ALGENON L. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE**