

Apr 16, 2020

JULIA C. DUDLEY, CLERK  
BY: s/ A. Beeson  
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

IN THE MATTER OF:

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

**Second Amended Standing  
Order No. 2020-5**

Standing Order No. 2020-5, dated March 16, 2020, and Amended Standing Order No. 2020-5, dated March 24, 2020, addressed court operations for the United States District Court for the Western District of Virginia under the exigent circumstances created by the spread of COVID-19. Amended Standing Order No. 2020-5 extended the restriction on in-person court proceedings for any in-person criminal, civil, and bankruptcy proceeding until May 1, 2020.

The exigent circumstances identified in the court's previous standing orders have worsened, with Virginia reporting over 6,500 positive cases of COVID-19 and 200 deaths as a result of COVID-19. Furthermore, all Virginians are under "stay at home" restrictions until June 10, 2020, pursuant to Governor Ralph Northam's March 30, 2020 Executive Order 55. Given these changes and the continued public health emergency posed by COVID-19, **the United States District Court for the Western District of Virginia extends the restriction on in-person court proceedings established in Standing Order 2020-5 and Amended Standing Order 2020-5 to any in-person criminal, civil, and bankruptcy proceeding through and including June 10, 2020.**

Effective immediately, it is **ORDERED** as follows:

1. Amended Standing Order 2020-5 is further amended to extend the specified time periods contained therein through and including June 10, 2020.
2. Nothing in this Amended Standing Order shall be interpreted as postponing or cancelling

any previously scheduled, or subsequently scheduled, “remote” proceedings scheduled by a presiding judge in any criminal or civil cases.

3. For the reasons explained in detail in Standing Order 2020-10, the period of May 2, 2020 through June 10, 2020 is hereby excluded from the speedy trial calculations for both the return of an indictment and the commencement of trial, pursuant to 18 U.S.C. § 3161(h)(7)(A). The court, on its own motion, finds that the ends of justice served by the continuances outweigh the interests of the parties and the public in a speedy trial. As discussed in Standing Order 2020-10, the United States Attorney is requested to file a motion and proposed order in any criminal matter in which an indictment is delayed due to the absence of a sitting grand jury, and either party may file a motion and proposed order to incorporate the findings of this order and Standing Order 2020-10 in the record of any criminal matter in which a jury trial is continued. **As such, Standing Order 2020-10 is amended to extend to June 10, 2020.**
4. The court will continue to monitor the COVID-19 public health emergency and will amend this order as appropriate.

Enter: April 16, 2020

**Michael F.  
Urbanski**  Digitally signed by Michael F. Urbanski  
DN: cn=Michael F. Urbanski, o=Western  
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Date: 2020.04.16 13:36:07 -04'00'

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Michael F. Urbanski  
Chief United States District Judge