

FEB 28 2023

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

LAURA A. AUSTIN, CLERK
BY: ASingleton
DEPUTY CLERK

IN THE MATTER OF:

DANVILLE DIVISION CRIMINAL
HEARINGS AND TRIALS

STANDING ORDER 2023-05

In 2021, the United States Marshal for the Western District of Virginia noted security concerns with the Danville federal courthouse and recommended limiting court proceedings in the Danville courthouse posing a security risk. As a result, the court issued Standing Order 2021-10 on May 13, 2021, and Standing Order 2022-09 on April 19, 2022, limiting court proceedings in the Danville courthouse. Since that time, the court has worked with the City of Danville, the Danville Circuit Court, and the relevant federal agencies to find reasonable and secure alternative facilities for criminal trials and hearings that implicate the security concerns that necessitated the cessation of certain trials and hearings in the Danville courthouse. To that end, the court entered into a Day Use Agreement with the City of Danville for use of its circuit court facilities for certain criminal trials and hearings, as that space is available.

Accordingly, it is **ORDERED** as follows:

1. Standing Order 2022-09 is **VACATED**.
2. Criminal proceedings involving federal defendants or witnesses who are in custody will not be held in the Danville federal courthouse. When feasible, such hearings will be held in the Danville Circuit Court, 401 Patton Street, Danville, Virginia, 24541. When use of the Danville Circuit Court facilities is needed, the clerk is

directed to advise the Danville Circuit Court and Danville Sheriff's Office as soon as practicable to ensure that space is available.

3. Criminal proceedings involving noncustodial defendants and witnesses may be held in the Danville federal courthouse in the discretion of the presiding judge after consultation with the Marshal.
4. The presiding judge will consult with the Marshal regarding holding proceedings in Danville in high profile civil cases during which security may be a concern.
5. In the event that space is not available in the Danville Circuit Court for a scheduled hearing or trial, or in the event that the presiding judge, after consultation with the Marshal, determines that security concerns in civil cases necessitates a more secure facility than the Danville federal courthouse:
 - a. Hearings and trials in criminal cases involving custodial defendants or witnesses arising from Henry County, Patrick County, and the City of Martinsville will be heard in the Roanoke federal courthouse.
 - b. Hearings and trials in criminal cases involving custodial defendants or witnesses arising from Charlotte County, Halifax County, Pittsylvania County, or the City of Danville will be heard in the Lynchburg federal courthouse.
 - c. Civil cases may be heard in either the Roanoke or Lynchburg federal courthouse, in the discretion of the presiding judge.
 - d. Because of concerns over the burden of jurors having to travel from the Danville Division to trials conducted in the Roanoke or Lynchburg

courthouses and the requirements of the court's Jury Selection Plan, the presiding judge has the discretion to summons jurors from the Roanoke or Danville Division Qualified Jury Wheels for cases to be tried in Roanoke, and from the Lynchburg or Danville Division Qualified Jury Wheels for cases to be tried in Lynchburg.

6. Large criminal cases involving multiple defendants (regardless of the custody status of the defendants or witnesses) may be trial in the Ceremonial Courtroom in Roanoke, in the discretion of the presiding judge.

It is so **ORDERED**.

Enter: This 28th day of February, 2023.



Michael F. Urbanski
Chief U.S. District Judge
2023.02.28 15:38:34
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Hon. Michael F. Urbanski
Chief United States District Court