

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

IN RE: CONTINUANCES DUE TO  
NOVEL CORONAVIRUS AND COVID-  
19 DISEASE EXTENDED THROUGH  
JANUARY 31, 2021.

GENERAL ORDER NO. 2020-16

The local and national emergency occasioned by the worldwide COVID-19 pandemic is ongoing, and while case numbers have improved somewhat in Nebraska since a mid-November peak, they still remain exceptionally high—higher, in fact, than when the Court entered [General Order 2020-14](#) continuing jury trials in November.<sup>1</sup> And many public health officials are cautioning that the situation may worsen in coming weeks, when a post-Thanksgiving surge in infection rates is exacerbated by a post-Christmas surge.<sup>2</sup>

Accordingly, for the reasons explained in in [General Order 2020-04](#) and [General Order 2020-14](#), and after consultation with the United States Attorney and the Federal Public Defender for the District of Nebraska,

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<sup>1</sup> See generally, *Trends in Number of COVID-19 Cases in the US Reported to CDC, by State/Territory*, Ctrs. for Disease Control & Prevention, <https://bit.ly/2TJYhRB> (last visited Dec. 8, 2020); *Coronavirus COVID-19 Nebraska Cases*, Neb. Dep't of Health and Hum. Servs., <https://bit.ly/3ehVdWk> (last visited Dec. 8, 2020).

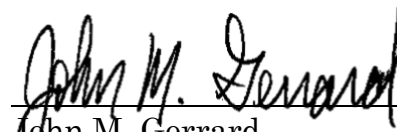
<sup>2</sup> See *Dr. Anthony Fauci: U.S. Has Not Hit post-Thanksgiving Peak of Cases*, CNN.com (Dec. 4, 2020), <https://perma.cc/M7A7-U22G>; *Transcript for CDC Telebriefing on the COVID-19 Outbreak*, Ctrs. for Disease Control & Prevention (Dec. 2, 2020), <https://perma.cc/T7FE-NH7Y>; William Wan and Brittany Shammass, *Why health officials are terrified of a pandemic Christmas*, The Washington Post (Dec. 1, 2020), <https://perma.cc/GGX3-MQYM>; *This Week with George Stephanopoulos* (ABC television broadcast Nov. 29, 2020), <https://perma.cc/QJ3X-RZ3H> (interviewing Dr. Anthony Fauci).

IT IS ORDERED:

1. The continuances implemented by [General Order 2020-14](#) and [General Order 2020-15](#) are extended to include all jury trials set to begin on or before January 31, 2021.
2. For the reasons stated in [General Order 2020-04](#) and [General Order 2020-14](#), the delays in progression of criminal cases occasioned by the continuances implemented by this General Order are excluded under the Speedy Trial Act pursuant to [18 U.S.C. § 3161\(h\)\(7\)\(A\) & \(B\)\(iii\)](#). The period between November 2, 2020 and January 31, 2021 is excluded when computing the time limitations specified in § 3161 for all pending criminal cases. The failure of any defendant to object to this General Order will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.
3. The Court will vacate, extend, or amend this General Order no later than January 31, 2021.

Dated this 9th day of December, 2020.

BY THE COURT:



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John M. Gerrard  
Chief United States District Judge