

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**STANDING RULES FOR PROCEEDINGS IN THE COURTROOM OF THE
HONORABLE BRANTLEY STARR IN THE EARLE CABELL FEDERAL
BUILDING AND UNITED STATES COURTHOUSE**

In accordance with special orders issued by the Honorable Chief Judge Barbara M. G. Lynn of the U.S. District Court for the Northern District of Texas,¹ to the extent that in-person hearings, sentencings, or other courtroom proceedings must occur from the date of this Order until further order of the Court,² the following rules apply to all proceedings with U.S. District Judge Brantley Starr in Courtroom 1525 (courtroom) in the Earle Cabell Federal Building and United States Courthouse (courthouse):

1. Individuals who are experiencing any flu-like symptoms, shortness of breath, fever, sneezing, or coughing shall be denied entrance into the courthouse and the courtroom.³
2. Individuals who have been asked to self-quarantine by any hospital or health agency in the past 14 days, have traveled internationally or been in close contact with someone who has traveled internationally in the past 14 days, or have been diagnosed or been in close contact with someone diagnosed with COVID-19 in the past 14 days shall be denied entry into the courthouse and the courtroom.⁴
3. All individuals over the age of two entering the courthouse, including the courtroom, are required to wear masks or other face coverings that completely cover the nose and mouth.⁵
4. Courtroom proceedings shall be limited to 10 individuals in the gallery portion of the courtroom. Additionally:
 - a. Individuals may not enter the courtroom more than 15 minutes prior to their proceeding.
 - b. Court Security Officers or U.S. Marshals may deny entry to the courtroom to limit crowds developing inside the courtroom. If counsels

¹ Namely, Special Order Nos. (SO) 13-5, 13-8, 13-9, 13-11, and 13-12, and Amended SO 13-8.

² Amended SO 13-8.

³ SO 13-8.

⁴ *Id.* As of the date of this Order, the Centers of Disease Control and Prevention's (CDC) Level 3 Travel Health Notice recommends "that travelers avoid all nonessential international travel." CDC, Global COVID-19 Pandemic Notice, <https://wwwnc.cdc.gov/travel/notices/warning/coronavirus-global> (last visited on June 12, 2020).

⁵ SO 13-12. Persons not wearing such protective equipment will be denied entry to the courthouse, and necessarily cannot enter the courtroom. *Id.*

know of individuals attending (but who will not sitting at counsels' table), counsels should inform the courtroom deputy of the names of those attending so the Court Security Officers or U.S. Marshals may prioritize them.⁶

- c. Only one non-party witness may be inside the courtroom at any time.
 - d. In the gallery of the courtroom, individuals should practice physical distancing by sitting at least six feet away from any other individuals.
 - e. If asked to wait in the hall, individuals should exercise physical distancing and should not form large groups.
5. The parties shall endeavor to minimize the presentation of physical evidence, if adequate electronic copies of evidence are available.

Parties with upcoming hearings who cannot comply with these temporary provisions may request leave to participate by teleconference or video conference, or request a continuance, by identifying specific limitations preventing participation.⁷

The Court will accommodate members of the public who wish to listen to proceedings in the courtroom but fall into one of the described restricted categories.⁸

Disrupting courtroom proceedings or failing to comply with this notice may result in removal from the courtroom or the courthouse. The Court appreciates your cooperation during this challenging time.

IT IS SO ORDERED on this 12th day of June 2020.



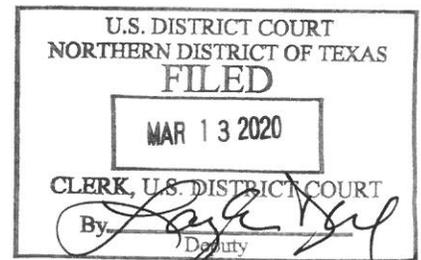
BRANTLEY STARR
UNITED STATES DISTRICT JUDGE

⁶ See SO 13-8 (“Any visitor who cannot access the courtroom because of this restriction will be given the opportunity to hear the proceeding from another room in the courthouse.”).

⁷ See SO 13-5 ¶ 4 (“Individual judges may continue to hold in-person hearings, sentencing proceedings, and conferences, but counsel may seek relief from those matters by appropriate motions.”).

⁸ SO 13-8. Interested members of the public who require this assistance should call 214-753-2240.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**



SPECIAL ORDER NO 13-5

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

This Order is being issued in response to the recent outbreak of novel coronavirus in the United States and the State of Texas. The World Health Organization has declared that COVID-19 qualifies as a global pandemic, having spread across more than 120 countries with more than 1,600 confirmed cases in the United States. The United States District Court for the Northern District of Texas has been closely monitoring the outbreak of novel coronavirus (which causes the disease designated as COVID-19), including careful monitoring of the developing guidance from the Centers for Disease Control and Prevention (“CDC”). The CDC has described the outbreak in the United States as a “rapidly evolving situation” and is providing continuously updated guidance as to the appropriate community response to COVID-19 as conditions worsen. The CDC’s guidance includes multiple types of mitigation strategies generally aimed at reducing or avoiding exposure to infected individuals.

As of the date of this Order, there have been several confirmed cases of coronavirus within the Northern District of Texas. The County of Dallas, where the Court’s most populous Division is located, has declared a public health emergency. The CDC and other public health entities have recommended social distancing as a means to limit further community spread of COVID-19. The Court is concerned with the health and safety of the public, Court employees, staff of other entities with whom Court personnel interact, litigants, counsel, interpreters, law enforcement officials, and jurors, who must work in close quarters to hear evidence and to deliberate.

Therefore, given the severity of the risk to the persons listed above by the spread of COVID-19 in the Northern District of Texas, and taking into consideration matters of public health, while reducing the size of public gatherings and the need for travel, the Court orders as follows:

1. All civil and criminal bench and jury trials scheduled to begin on any date from now through May 1, 2020, are continued, to a date to be reset by each presiding judge. Those continuances do not continue any pending deadlines other than the trial dates. Attorneys should contact the presiding judges in their continued cases if they seek to modify such other deadlines.

2. Due to the Court's reduced ability to obtain an adequate spectrum of jurors and due to the reduced availability of attorneys and Court staff to be present in courtrooms because of the public health considerations described above, the time period of the continuances implemented by this Order are excluded under the Speedy Trial Act, 18 U.S.C § 3161(h)(7)(A). The Court finds that the ends of justice served by ordering these continuances outweigh the best interests of the public and each defendant's right to a speedy trial. In fact, the best interests of the public are served by these continuances.

3. For the detailed reasons described above, all grand jury proceedings between now and through May 1, 2020, are continued. All deadlines are suspended and tolled for all purposes, including the statute of limitations, from today through May 1, 2020.

4. Individual judges may continue to hold in-person hearings, sentencing proceedings, and conferences, but counsel may seek relief from those matters by appropriate motions. The parties are encouraged to seek to participate in non-sentencing hearings and conferences by telephone or video. This Order does not impact any court's consideration of particular matters on the papers alone.

5. Magistrate Judges will continue to preside over criminal matters, such as initial

appearances, arraignments, detention hearings and the issuance of warrants. However, all hearings for the P.A.S.S. Re-entry Court, scheduled between now and May 1, 2020, are cancelled.

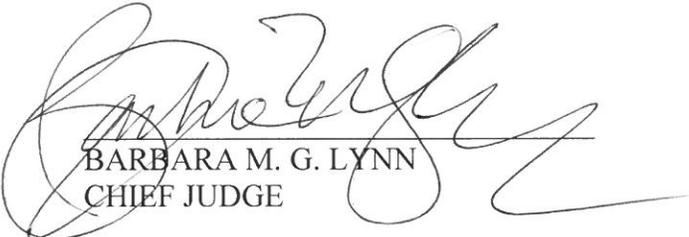
6. Any events involving the court that are not case-specific, including, but not limited to, continuing legal education courses, public tours, administration of oaths to attorneys, and naturalization ceremonies conducted by the Court which are scheduled to occur between March 16 and May 1, 2020, are hereby cancelled and will be rescheduled as appropriate.

7. All of the courthouses of the Northern District of Texas, including the Clerk's offices and offices of United States Pretrial and Probation, will remain open for business. However, many employees, including some of chambers staff, will be teleworking, but they will be accessible by phone. Electronic filings may continue to be made through the CM/ECF system.

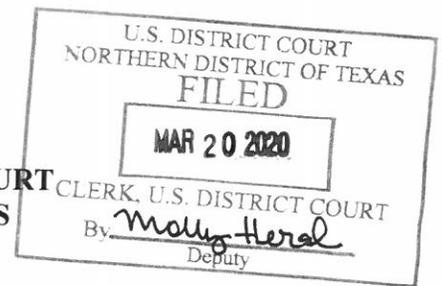
8. Any delivery directed to chambers shall be delivered instead to the Clerk's offices in each courthouse.

9. Unless extended, this Order will remain in effect through May 1, 2020, and will then expire.

SO ORDERED this 13 day of March, 2020.


BARBARA M. G. LYNN
CHIEF JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS



SPECIAL ORDER NO. 13-8

SUPPLEMENTAL ORDER RE: ACCESS RESTRICTIONS UNDER
THE EXIGENT CIRCUMSTANCES
CREATED BY THE COVID-19 PANDEMIC

The Centers for Disease Control and Prevention recommendations to slow the spread of coronavirus disease 2019 (COVID-19) include precautions to limit exposure to the virus. In accordance with those recommendations, the United States District Court for the Northern District of Texas has issued targeted visitor restrictions that are effective immediately through May 1, 2020.

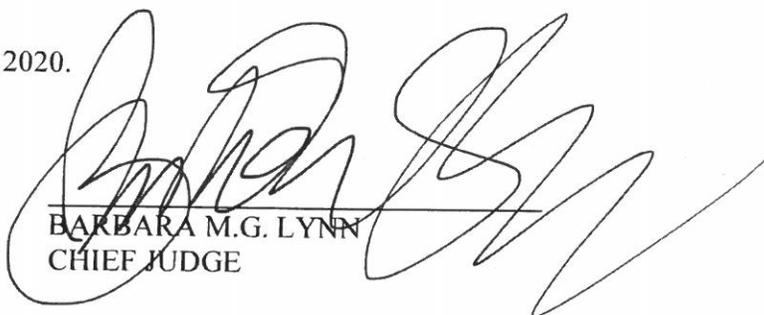
Access into court space in any division of the Court temporarily may not be accessed by persons who:

- (1) are experiencing any flu-like symptoms, shortness of breath, have a fever, or are coughing or sneezing;
- (2) have traveled within the last 14 days to any of the countries for which the CDC has issued a Level 3 Travel Health Notice, which currently includes China, South Korea, Iran, Europe, and Malaysia, or have had close contact with someone who has traveled to one of these countries within the last 14 days; or
- (3) have been asked to self-quarantine by any hospital or health agency or have been diagnosed with or had close contact with anyone who has been diagnosed with COVID-19 within the past 14 days.

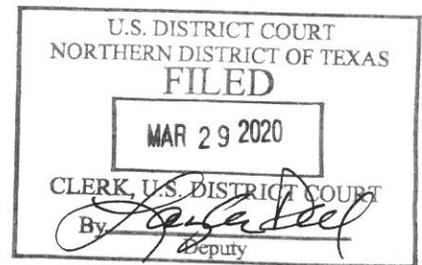
Additionally, to ensure proper distancing, and for the protection of all court participants, the U.S. Marshals Service may restrict the number of visitors in a courtroom proceeding. Any visitor who cannot access a courtroom because of this restriction will be given the opportunity to hear the proceeding from another room in the courthouse.

The Court will accommodate anyone who requires service from the Court and falls into one of the restricted categories or who wishes to listen to a court proceeding. Please call 214-753-2240 for assistance.

SO ORDERED this 19th day of March, 2020.



BARBARA M.G. LYNN
CHIEF JUDGE



**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

SPECIAL ORDER NO 13-9

**COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES
CREATED BY THE COVID-19 PANDEMIC: AUTHORIZATION TO USE VIDEO
TELECONFERENCING FOR CRIMINAL PROCEEDINGS**

This Order supplements and incorporates by reference Special Order Nos. 13-5 and 13-6. The COVID-19 pandemic and concern for public safety have caused the Court to temporarily modify various procedures. Under authority granted by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), and based on findings of the Judicial Conference of the United States that emergency conditions will materially affect the functioning of the Court, I hereby authorize the use of video teleconferencing, or telephone conferencing if video conferencing is not reasonably available, for each of the following proceedings:

1. Detention hearings under section 3142 of title 18, United States Code;
2. Initial appearances under Rule 5 of the Federal Rules of Criminal Procedure;
3. Preliminary hearings under Rule 5.1 of the Federal Rules of Criminal Procedure;
4. Waivers of indictment under Rule 7(b) of the Federal Rules of Criminal Procedure;
5. Arraignments under Rule 10 of the Federal Rules of Criminal Procedure;
6. Probation and supervised release revocation proceedings under Rule 32.1 of the Federal Rules of Criminal Procedure;
7. Pretrial release revocation proceedings under section 3148 of title 18, United States Code;
8. Appearances under Rule 40 of the Federal Rules of Criminal Procedure;
9. Misdemeanor pleas and sentencings as described in Rule 43(b)(2) of the Federal Rules of Criminal Procedure; and

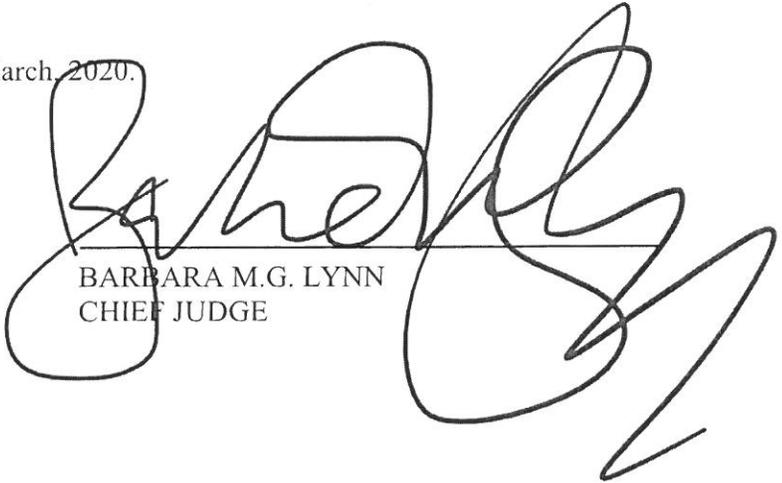
10. Proceedings under chapter 403 of title 18, United States Code, except for contested transfer hearings and juvenile delinquency adjudication or trial proceedings.

Additionally, I have specifically found that felony pleas under Federal Rule of Criminal Procedure 11 and felony sentencings under Rule 32 cannot be conducted in person without seriously jeopardizing public health and safety. Therefore, if the district judge in a particular case finds, for specific reasons, that the plea or sentencing in that case cannot be further delayed without serious harm to the interests of justice, the plea or sentencing in that case may be conducted by video teleconferencing, or by telephone conferencing if video teleconferencing is not reasonably available.

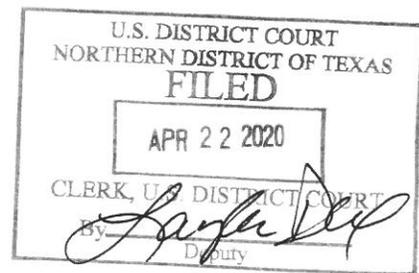
A video teleconference or telephone conference under this Order may only take place with consent of the defendant, after consultation with counsel.

The authorization to use video teleconferencing and telephone conferencing provided by this Order, unless terminated earlier by operation of law or modified by subsequent order, will remain in effect for 90 days following entry. Nothing in this Order is intended to prevent a judge from using the judge's discretion to conduct an in-person proceeding in an individual case.

SO ORDERED this 29 day of March, 2020.



BARBARA M.G. LYNN
CHIEF JUDGE



**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

SPECIAL ORDER NO 13-11

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

Due to the continuing exigent circumstances created by the COVID-19 pandemic, the Court hereby extends all continuances under Special Order Nos. 13-5 and 13-6 through May 31, 2020, except as otherwise specified in this Order.

1. Other than case number 7:18-cv-180, civil and criminal jury trials scheduled to begin on any date from May 1 through May 31, 2020, are continued to a date after May 31, 2020, to be reset by each presiding judge. A presiding judge has the discretion, however, to determine, upon motion of a defendant in a criminal case, that emergency circumstances require a case to be tried on an earlier date and may order a trial to proceed in that case.

2. Due to the Court's reduced ability to obtain an adequate spectrum of jurors and due to the reduced availability of attorneys and Court staff to be present in courtrooms because of public health considerations, the period of exclusion under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), is extended through May 31, 2020. The Court finds that the ends of justice served by ordering these continuances outweigh the best interests of the public and each defendant's right to a speedy trial. This Order and periods of exclusion, along with the periods of exclusion under Special Order Nos. 13-5 and 13-6, are incorporated by reference as a specific finding under 18 U.S.C. § 3161 (h)(7)(A) in the record of each pending case where the Speedy Trial Act applies.

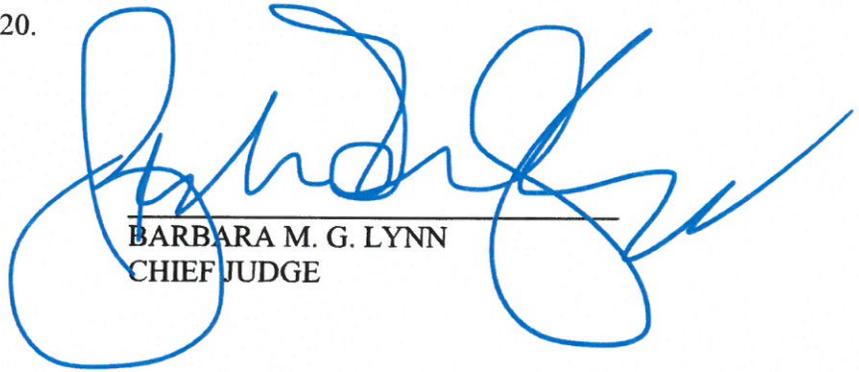
3. Grand jury proceedings may resume under conditions directed by the Court.

4. Visitor restrictions under Special Order No. 13-8 are extended through May 31,

2020.

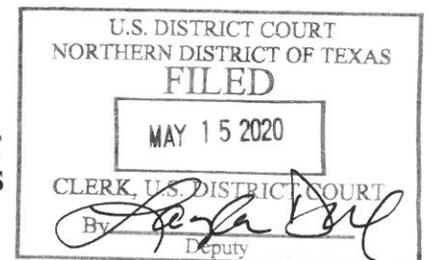
All other provisions of Special Order Nos. 13-5 through 13-9 remain in effect until modified by subsequent order or terminated by operation of law.

SO ORDERED this 22nd day of April, 2020.



BARBARA M. G. LYNN
CHIEF JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**



SPECIAL ORDER NO 13-12

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

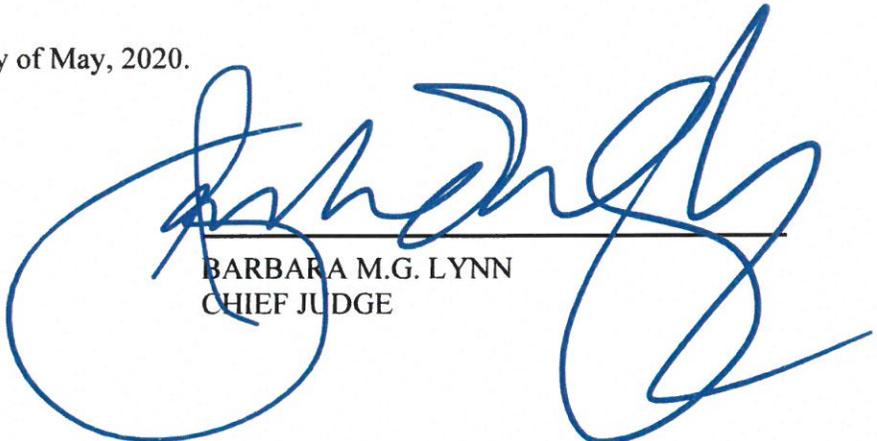
This Order applies to the Earle Cabell Federal Building and United States Courthouse at Dallas. It supplements and incorporates by reference Special Order No. 13-8, which is in place to protect health and safety during the COVID-19 pandemic.

Effective May 20, 2020, in accordance with recommendations of public health officials and the Centers for Disease Control and Prevention, and with concurrence of the Designated Official and the Facilities Security Committee, each person over the age of two who seeks entry into the Earle Cabell Federal Building and United States Courthouse at Dallas, including tenants of the building, must wear a mask or other face covering that completely covers the person's nose and mouth at all times while in any public area of the building, including all elevators, unless otherwise directed by a law enforcement officer, guard, or Court official. Law enforcement officers, protective service officers, and court security officers working for the Federal Protective Service and the U.S. Marshals Service will enforce this Order and will deny entry to persons not wearing a mask or other face covering.

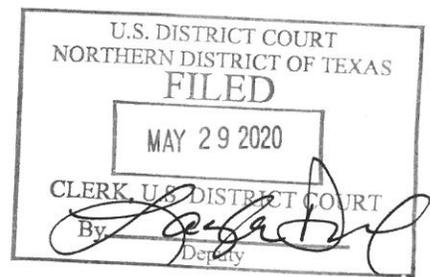
Any person who seeks entry into the Earle Cabell Federal Building U.S. Courthouse without a mask or face covering may contact the office to be visited for assistance in determining what other arrangements or accommodations can be made to accomplish the business needs of the visitor without entry into the building.

The provisions of this order will remain in effect until further order of the Court.

SO ORDERED this 15 day of May, 2020.



BARBARA M.G. LYNN
CHIEF JUDGE



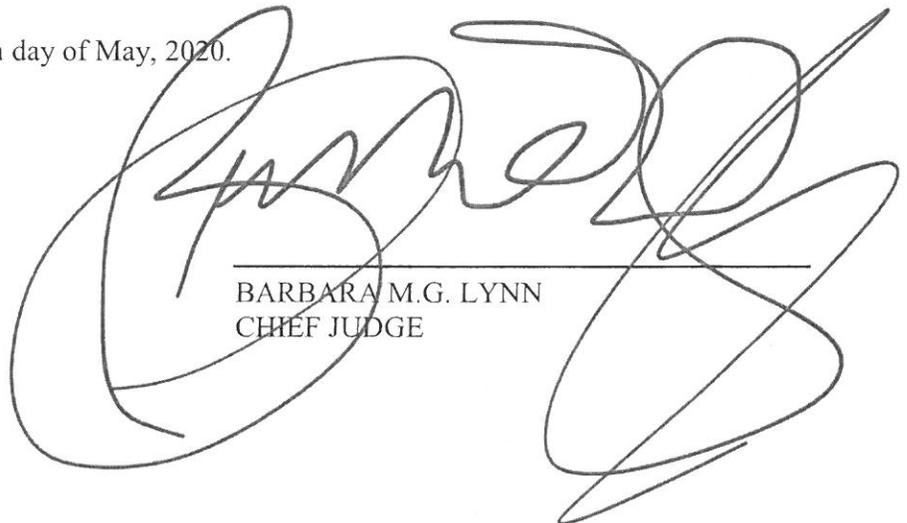
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

AMENDED SPECIAL ORDER NO. 13-8

ACCESS RESTRICTIONS UNDER THE EXIGENT CIRCUMSTANCES
CREATED BY THE COVID-19 PANDEMIC

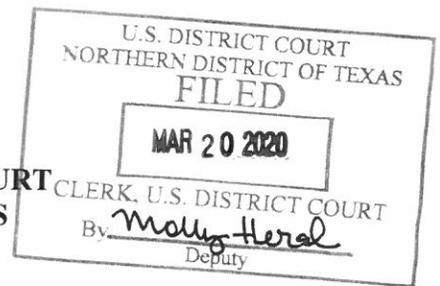
The restrictions on access into court space and restrictions on the number of visitors in each courtroom proceeding established under Special Order No. 13-8, and subsequently extended by Special Order No. 13-11, will remain in effect until further order of the Court.

SO ORDERED this 29th day of May, 2020.



BARBARA M.G. LYNN
CHIEF JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS



SPECIAL ORDER NO. 13-8

SUPPLEMENTAL ORDER RE: ACCESS RESTRICTIONS UNDER
THE EXIGENT CIRCUMSTANCES
CREATED BY THE COVID-19 PANDEMIC

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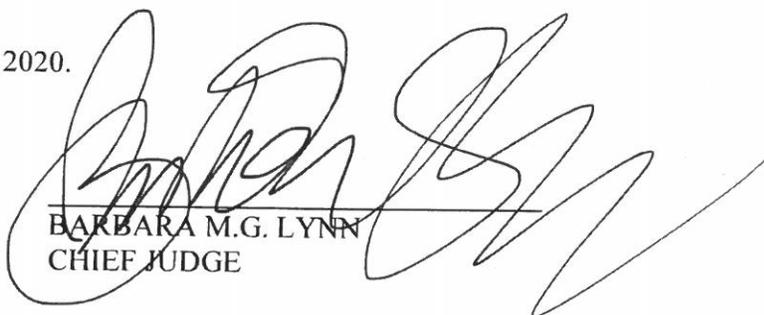
Access into court space in any division of the Court temporarily may not be accessed by persons who:

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- (2) have traveled within the last 14 days to any of the countries for which the CDC has issued a Level 3 Travel Health Notice, which currently includes China, South Korea, Iran, Europe, and Malaysia, or have had close contact with someone who has traveled to one of these countries within the last 14 days; or
- (3) have been asked to self-quarantine by any hospital or health agency or have been diagnosed with or had close contact with anyone who has been diagnosed with COVID-19 within the past 14 days.

Additionally, to ensure proper distancing, and for the protection of all court participants, the U.S. Marshals Service may restrict the number of visitors in a courtroom proceeding. Any visitor who cannot access a courtroom because of this restriction will be given the opportunity to hear the proceeding from another room in the courthouse.

The Court will accommodate anyone who requires service from the Court and falls into one of the restricted categories or who wishes to listen to a court proceeding. Please call 214-753-2240 for assistance.

SO ORDERED this 19th day of March, 2020.



BARBARA M.G. LYNN
CHIEF JUDGE