

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA**

IN RE: SUSPENSION OF THE GRAND JURY
DUE TO COVID-19 PANDEMIC

MISCELLANOUS NO.: 3-20-MC- 34

ORDER

WHEREAS, this Court continues to evaluate its response to the COVID-19 virus and recognizes the need to assist in the preservation of public safety and health while effectively administering justice during this period of national emergency. Due to the current circumstances relating to the COVID-19 pandemic and guidance from the Centers for Disease Control and Prevention recommending limiting personal contact and public gatherings to reduce the possibility of exposure to the virus and to slow the community spread, the Court's ability to safely obtain an adequate spectrum of grand jurors has been rendered impossible. In addition, the present public health crisis precludes the court from safely convening counsel, court staff, United States Marshals, interpreters, Court Security Officers, Probation Officers, witnesses, and other participants necessary to conduct grand jury proceedings.

Accordingly, **IT IS HEREBY ORDERED** that all grand jury sessions scheduled on or before June 30, 2020, are suspended. Special grand jury sessions are excepted from this Order.

IT IS FURTHER ORDERED that the time from April 17, 2020, through June 30, 2020, is excludable time in terms of calculating the thirty-day period by which, pursuant

to 18 U.S.C. § 3161(b), an indictment must be filed after an arrest on a complaint. The Court specifically finds and concludes that the ends of justice served by taking such action and such delay materially outweigh the interests of the public and defendants in a speedy trial. In making this decision, pursuant to 18 U.S.C. § 3161(h)(7)(b)(iii), the Court considered and determined that, due to the suspension of the grand jury, in cases in which arrests precede indictments, delay in the filing of an indictment is caused because the arrest occurred at a time such that it is unreasonable to expect the return and filing of such indictment, within the period specified in Section 3161(b).

The Court will continue to monitor the COVID-19 public health emergency and further suspensions may be issued as necessary and appropriate.

The Clerk of Court is directed to provide a copy of this Order to the United States Attorney, the Federal Public Defender, the USMS and the United State Probation Office.

Dated this 20th day of April, 2020.



Gina M. Groh
Chief United States District Judge