

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

In the matter of

SUSPENSION OF CIVIL AND
CRIMINAL JURY TRIALS EFFECTIVE
FEBRUARY 8, 2022, THROUGH
FEBRUARY 28, 2022

**MISCELLANEOUS GENERAL
ORDER 22-03**

This Miscellaneous General Order suspends civil and criminal jury trials scheduled to begin February 8, 2022, through February 28, 2022. The Court enters this order due to the significant increase in COVID-19 cases in the District of Alaska in recent weeks¹ and the State of Alaska Department of Corrections’ continuing restrictions to access by defense counsel.² The Court incorporates the prior findings in MGO 21-05 regarding the unique challenges of jury selection in Alaska and the logistical limitations resulting from COVID-19 safety protocols. The Court has also considered the most current guidance from the Centers for Disease Control and Prevention.³

The COVID-19 pandemic is still considered a national emergency pursuant to the National Emergencies Act, 50 U.S.C. § 1601, *et seq.* The finding made by the Judicial Conference of the United States that “emergency conditions due to the national emergency declared by the President with respect to COVID-19 will materially affect the functioning of the federal courts generally” remains. The Court finds that the COVID-19 pandemic continues to materially affect the functioning of the Court and makes jury trials impractical at this time.

¹ The State of Alaska Department of Health and Social Services reports a 38% increase in COVID-19 cases statewide from the preceding week. Currently, the entire state is at a “high” alert level due to a rate of more than 100 cases per 100,000 people. *See Alaska COVID-19 Summary Dashboard*, Alaska Dep’t of Health & Soc. Servs., www.dhss.alaska.gov/dph/epi/id/pages/covid-19/default.aspx (last visited Jan. 20, 2022).

² Visitation remains closed at ACC-East, ACC-West, and Goose Creek, among other facilities. *See Visitation Notice*, Alaska Dep’t of Corr., www.doc.alaska.gov (last visited Jan. 20, 2022).

³ *Media Statement*, CDC (Dec. 27, 2021), www.cdc.gov/media/releases/2021/s1227-isolation-quarantine-guidance.html.

In light of the foregoing, federal civil and criminal jury trials in the District of Alaska are suspended from February 8, 2022, through February 28, 2022, as follows:

1. The assigned judge in any case may make exceptions to the jury trial suspension if justice so requires. Judges may issue other orders concerning future continuances as necessary and appropriate.
2. For criminal cases, all trial-specific deadlines for trials scheduled to begin between February 8, 2022, and February 28, 2022, are continued unless otherwise ordered by the assigned judge. Pretrial deadlines, such as motion deadlines, remain in effect.
3. For criminal cases, assigned judges will hold status conferences as warranted. Prior to any status conference, parties shall confer to determine if a stipulation can be entered to continue the trial date and toll time under the Speedy Trial Act, which may eliminate the need for a status conference. Each assigned judge will make case-specific findings and, when appropriate, enter an order tolling time under the Speedy Trial Act.

In criminal cases, the Court will continue to hold initial appearances, arraignments, detention hearings, and preliminary hearings without unnecessary delay. The CARES Act procedures established in Sections E and F of Miscellaneous General Order 21-25 are extended and shall remain in effect until further order.

In civil cases, the procedures established in Section B of Miscellaneous General Order 21-24 are extended and shall remain in effect until further order of the assigned judge.

DATED this 24th day of January, 2022.

/s/ Sharon L. Gleason

Hon. Sharon L. Gleason
Chief United States District Judge

/s/ Joshua M. Kindred

Hon. Joshua M. Kindred
United States District Judge

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