

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

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IN RE: COURT OPERATIONS )  
IN RESPONSE TO COVID-19 )  
\_\_\_\_\_ )

*Sixth Amended* Standing Order  
Misc. Number: 3:21-00337-RBH

Due to the continuing and evolving COVID-19 national public health emergency, but improving circumstances with the availability and accessibility of the COVID-19 vaccine, the Court finds it appropriate to amend the September 18, 2020 Fifth Amended Standing Order (*see* Misc. No. 3:20-mc-00416-RBII). Accordingly, the Court issues the following order, effective immediately:

1. Civil and criminal jury selections, jury trials, and roster meetings will proceed in the discretion of the presiding judge.
2. Grand jury proceedings will go forward, unless otherwise ordered by the Chief Judge.
3. By separate order, on March 19, 2021, the Court issued its Fourth Amended Standing Order Regarding Video Teleconferencing and Telephone Conferencing (*see* Misc. No. 3:21-mc-00128-RBH), which pursuant to the CARES Act (H.R. 748) allows certain criminal proceedings to occur by video or telephone conferencing if a criminal defendant consents. Prior to the expiration of that order, the Court will determine whether conditions exist to further extend it.
4. If in a judge's discretion, criminal court cannot safely proceed and must be continued, the time period of the continuance will be 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 a continuance to preserve health and safety outweigh the best interest of the public and defendants in a speedy trial, as well as the interest of defendants in a timely indictment. The Court may extend the period of exclusion as circumstances may warrant.
5. To the extent possible, judges should stagger their court hearings to minimize the number of people coming into the courthouses, enforce the Court's current face coverings/masks order (*see* Misc. No. 3:21-mc-00336-RBH), and enforce social distancing of unvaccinated persons during court proceedings.

The Court will vacate or amend this Standing Order as necessary and appropriate.

**IT IS SO ORDERED.**

DATED this 4th day of June, 2021.

  
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 R. Bryan Harwell  
 Chief United States District Judge