

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

v.

JESUS RIVERA,

Defendant.

Criminal No. 21-0060 (CKK)

ORDER

(December 27, 2021)

This matter comes before the Court on Defendant's [28] Unopposed Motion for Continuance. On December 17, 2021, the parties submitted a [26] joint proposed scheduling order. The parties did not offer a proposed trial date; rather, the parties proposed deadlines tied to a date that the Court would choose. Moreover, the parties' submission offered no specific date for any event. Because the earliest proposed deadline would have occurred ninety days prior to a trial date, the Court set a trial date that would accommodate the ninety days that, from the face of their joint proposal, the parties would require to be ready for trial. As the Court's [27] Order explains, trial scheduling during the present pandemic is complicated by safety and logistical issues throughout the Courthouse. The District Court prefers that *voir dire* be conducted in the Ceremonial Courtroom so as to ensure six feet of distancing between members of the *venire*. The Court further coordinates with District Court staff to reserve the few courtrooms that can function as overflow rooms with videoconferencing ability. Additionally, the Court communicates with the Jury Office to ensure an adequate number of jurors can be called for any given date.

In Defendant's [28] Unopposed Motion, the parties now propose a specific trial date, the first week of June, and offer the Court some idea of the parties' availability through the first half of 2022. The parties shall note that a trial date the first week of June poses some challenges and may or may not be feasible for the Court. The Court advises the parties that the purpose of the proposed pretrial scheduling order is to afford the parties the opportunity to select dates that are tenable for them. As such, the Court does not expect the parties to move for relief from a schedule of their own making. Accordingly, it is hereby

ORDERED, that Defendant's [28] Unopposed Motion for Continuance is **GRANTED IN PART AND DENIED IN PART**. It is further

ORDERED, that the [27] Pretrial Scheduling Order is **VACATED**. It is further

ORDERED, that the parties shall submit a joint proposed pretrial scheduling order, on or before **January 5, 2022**, listing a specific trial date and a specific date for each event. If the

parties jointly consider a particular event to be irrelevant to this case, they may mark it “N/A.” The parties are advised to coordinate, for example, which motions they intend to file in advance of trial and what period of time the parties would require to cross-brief those motions. It is further

ORDERED, that, on or before **January 5, 2022**, defense counsel and Government counsel shall both advise Chambers, by email, of their availability for a one- to two-week trial in this case through the end of 2022.

SO ORDERED.

Dated: December 27, 2021

/s/
COLLEEN KOLLAR-KOTELLY
United States District Judge