

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**GENERAL ORDER NO. 21-12
September 4, 2021**

On August 26, 2021, Governor John Bel Edwards issued Proclamation 165 JBE 2021 declaring a state of emergency as a result of then Tropical Storm Ida. On August 29, 2021, Hurricane Ida made landfall in Louisiana as a Category 4 hurricane. The Eastern District of Louisiana is comprised of thirteen parishes, nearly all of which suffered devastating damage resulting from Hurricane Ida's Category 4 winds, heavy rain, storm surge, and flooding due to rain, overflowing rivers, lakes, bayous, and canals. Widespread and persistent outages of power, water, sewage, cell phone, and internet services continue to plague the areas comprising the Eastern District. Additionally, gasoline is in short supply for travel into, out of, and throughout the district. Members of the bar have informed the Court that they are currently unable to resume normal office operations due to road closures, damage due to high winds and flooding, and extensive loss of power and communication services.

Considering the catastrophic damage that Hurricane Ida caused in the state, the Court finds that the federal courthouse and the office of the Clerk of Court, were/are not meaningfully accessible within the meaning of Federal Rule of Civil Procedure 6(a) and Federal Rule of Appellate Procedure 26(a) for the period of time beginning on August 26, 2021 and continuing for thirty (30) days thereafter.

With regard to criminal matters, the catastrophic damage caused by Hurricane Ida has reduced the Court's ability to obtain an adequate spectrum of jurors and hinders the ability of counsel and Court staff to be safely present in the courtroom. Therefore, the Court also finds that

the ends of justice are served, and the interests of the public and of any criminal defendant affected are outweighed, by a temporary exclusion of all criminal trials from the time requirements of the Speedy Trial Act, 18 U.S.C. § 3161, beginning on August 26, 2021 and continuing for thirty (30) days thereafter. For these same reasons, grand juries are unable to convene in the district. Accordingly, all grand jury proceedings in this district are suspended beginning on August 26, 2021 and continuing for thirty (30) days thereafter, subject to change upon motion from the government and further orders of the Court.

Accordingly,

1. All deadlines and delays, including prescriptive and preemptive periods, in cases pending or to be filed in this Court are hereby suspended for thirty (30) days commencing from August 26, 2021.
2. For the reasons given above and below, all criminal trials are excluded from the time requirements of the Speedy Trial Act, 18 U.S.C. § 3161, beginning on August 26, 2021 and continuing for thirty (30) days thereafter.
3. For the reasons given above and below, all grand jury proceedings in this district are suspended beginning on August 26, 2021 and continuing for thirty (30) days thereafter, subject to change upon motion from the government and further orders of the Court.

4. With regard to criminal matters, due to the Court's reduced ability to obtain an adequate spectrum of jurors and the effect of Hurricane Ida on the ability of counsel and Court staff to be safely present in the courtroom, the time period of the postponements implemented by this general order will be excluded under the Speedy Trial Act, as the Court specifically finds that the ends of justice served by ordering the postponements outweigh the best interest of the public and any defendant's right to a speedy trial, pursuant to 18 U.S.C. § 3161(h)(7)(A).

IT IS ORDERED.

New Orleans, Louisiana, this 4th day of September, 2021.



**NANNETTE JOLIVETTE BROWN
CHIEF JUDGE
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**