

**NOTICE OF INTENT TO RESUME CRIMINAL DIVISION
JURY TRIALS IN FELONY 2 CASES PREVIOUSLY SET FOR TRIAL IN WHICH
DEFENDANT IS DETAINED PURSUANT TO D.C. CODE 23-1322(b)**

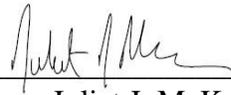
Pursuant to the August 13 and November 5, 2020 Orders, outlining D.C. Superior Court operations during the current judicial emergency due to COVID-19, the Court committed to providing sixty day notice prior to the resumption of criminal jury trials. The Mayor's Office has deemed jury selection and service to be exempted from other restrictions on gatherings during the District of Columbia declaration of emergency as an essential government function necessary for the safety and welfare of the public.

While deadlines and time limits in statutes and court rules remain suspended, including the 100-day trial clock established in D.C. Code §23-1322(h), the Criminal Division now provides sixty day notice of its intent to set jury trials in Felony 2 cases previously set for trial in which the defendant is detained pursuant to D.C. Code 23-1322(b), except for sex offense cases, which will be set for trial at a future time. These cases would be subject to a 100-day trial timeline absent the suspension of all statutory and rule-based time limits in the D.C. Code and the Superior Court Rules pursuant to the declaration of judicial emergency. In addition, such cases, in contrast to Felony 3 or Felony 1 matters, in which the defendant is detained pursuant to D.C. Code 23-1325(a), are generally shorter in duration, largely involve a single defendant, require a smaller panel for jury selection and rely upon primarily local witnesses.

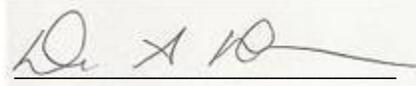
All such cases will be set for a trial readiness hearing in remote Courtroom 321-R, with the defendant's presence waived for the limited purpose of this hearing. At that time, at the request of defense counsel, and with the consent of the government, a trial date will be set at least sixty days in advance on or after March 22, 2021. Any trial date, as well as the number of trials to be set per week, shall be contingent upon no further restrictions on governmental operations being imposed in the District of Columbia pursuant to the Mayoral declaration of public emergency, the approval of the District of Columbia Department of Health, and the ability to summon jurors and conduct trials in a manner consistent with public health and the safety of all participants and the due process rights of the defendant.

The Criminal Division has undertaken to identify all cases previously set for a jury trial in which the defendant remains detained and has prioritized, to the extent practicable, the setting of trial readiness hearings in such cases based upon length and statutory basis of detention. In addition, status hearings currently scheduled in all detained cases will proceed forward in remote Courtroom 314-R and will not be continued further, absent a joint request from both parties. However, if parties are aware of a case in which the defendant is detained and no future remote hearing has been set, counsel is directed to contact Angela Lee, Criminal Division Attorney Advisor, at Angela.Lee@dcsc.gov and provide the defendant's name, case number(s) and three mutually available dates for a scheduling hearing.

SO ORDERED this 15th date of January, 2021.



Juliet J. McKenna
Presiding Judge, Criminal Division



Danya A. Dayson
Deputy Presiding Judge, Criminal Division