UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2005-48

FILED by S D.C.
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CLARENCE MADDOX
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

IN RE:

THE MATTER OF THE SUMMONING OF JURY PANELS FOR TRIALS IN MIAMI, FLORIDA

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Hurricane Wilma made landfall in Southern Florida on Monday, October 24, 2005. All divisions of the Southern District of Florida were affected by this storm and remained largely closed through October 31, 2005 due to power outages and impassable roadways. While the Court reopened on a limited basis on November 1, 2005, lingering extensive power outages across the District led to the suspension of the summoning of jury panels in all divisions through Friday, November 4, 2005. Realizing that this will impact upon the criminal trial calendar, the Court considering same has voted unanimously that the period from October 24, 2005 through November 4, 2005 shall be excluded from the computation of time within which a trial must commence for purposes of the Speedy Trial Act. See 18 U.S.C. § 3161 et seq. Accordingly, it is thereupon

ORDERED AND ADJUDGED, as follows:

1. The summoning of jury panels for trials to be conducted in all Divisions of the Southern District of Florida shall be suspended until Monday, November 7, 2005.

2. The period of delay - that is, October 24, 2005 through November 4, 2005 - shall be excluded from the computation of time within which trial commenced, based upon the following findings:

(a) The Court takes judicial notice of extensive power interruptions across all the Court's Divisions affecting transportation and communication and compromising public safety, as well as substantial damage to personal property;

(b) The ends of justice served by suspending jury trials during this period, and the continuances occasioned thereby, outweigh the interests of the respective defendants and the public in a speedy trial;

(c) Because of the attendant circumstances presently existent across the Southern District of Florida, it is the finding of this Court that failure to take this action would necessarily result in a miscarriage of justice.

It is further,

ORDERED AND ADJUDGED that the Clerk of Court is directed to file a copy of this order in each criminal case on the Court's docket for trial in all Divisions of the District and to provide it as notice to the United States Attorney and to all counsel of record in each criminal case affected hereby.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this 4th day of November 2005.

WILLIAM J. ZLOCH
CHIEF UNITED STATES DISTRICT JUDGE

c: All Southern District Judges
All Southern District Magistrate Judges
Court Administrator • Clerk of Court
Alexander Acosta, Interim United States Attorney
Kathleen Williams, Federal Public Defender