

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

IN RE:

CORONA VIRUS (COVID19) PUBLIC  
EMERGENCY

Misc. No. 20-0088 (GAG)

**ORDER EXTENDING AUTHORIZATIONS  
UNDER §15002(b)(1) OF THE CARES ACT**

On March 31, 2020, the Court issued an *Order*, pursuant to §15002(b)(1) of the Coronavirus Aid, Relief and Economic Security (“CARES”) Act, H.R. 748, allowing the use of video conferencing, or telephone conferencing if video conferencing was not reasonably available, with the consent of the defendant, for a series of criminal case hearings during the current COVID-19 emergency.<sup>1</sup>

The CARES Act requires that 90 days after the above authorizations under §15002(b)(1) are issued, the chief judge must “review the authorization and determine whether to extend the authorization.”<sup>2</sup> If the authorization is extended, the chief judge must “review the extension of authority not less frequently than once every 90 days until the earlier of—(i) the date on which the chief judge (or other judge or justice) determines the authorization is no longer warranted; or (ii) the date on which the emergency authority is terminated under paragraph (5).”<sup>3</sup>

Due to the continuing public health and safety conditions related to the COVID-19 pandemic in Puerto Rico, its impact on the District Court’s operations, and upon careful review of the previously granted authorizations under §15002(b)(1), I grant the 90-day extension of such, unless terminated earlier,<sup>4</sup> for all the events and scenarios listed in the Court’s March 31, 2020 *Order*.

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<sup>1</sup> See *In Re: Corona Virus (COVID19) Public Emergency*, Misc. No. 20-088 (GAG), ECF 13. In the *Order*, the Court also found that felony pleas under Rule 11 of the Federal Rules of Criminal Procedure and felony sentencings under Rule 32 of the Federal Rules of Criminal Procedure could not be conducted in person in this district without seriously jeopardizing public health and safety. Judges were therefore authorized in individual cases to use video conferencing, or teleconferencing if video conferencing is not reasonably available, for the felony plea or sentencing in such case.

<sup>2</sup> See CARES Act, §15002(b)(3)(A)

<sup>3</sup> See §15002(b)(3)(B).

<sup>4</sup> See §15002(b)(3)

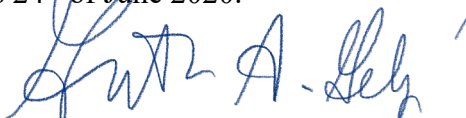
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This order shall take effect on Monday, June 29, 2020. If emergency conditions continue to exist, at the end of the 90-day period, I again will review this authorization and determine whether to extend it.

All existing Standing Orders of this court remain in full force and effect.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 24<sup>th</sup> of June 2020.

A handwritten signature in blue ink, appearing to read "Gustavo A. Gelpí", written over a horizontal line.

Gustavo A. Gelpí  
Chief, US District Judge