

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

IN RE:

CORONA VIRUS (COVID19) PUBLIC  
EMERGENCY

Misc. No. 20-0088 (GAG)

**THIRD AMENDED 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>

On June 24, 2020, September 21, 2020 and December 15, 2020, respectively, 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 a careful review of the previously granted authorizations under §15002(b)(1), the Court issued *Orders* granting a 90-day extension of such authorizations<sup>2</sup> for all the events listed in the Court’s March 31, 2020 *Order*.<sup>3</sup> The extension *Orders* were effective on June 29, 2020, September 28, 2020 and December 28, 2020, respectively.

The CARES Act requires that 90 days after the above authorizations under §15002(b)(1) expire, the chief judge must “review the authorization and determine whether to extend the authorization.”<sup>4</sup> If 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

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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)

<sup>3</sup> See *In Re: Corona Virus (COVID19) Public Emergency*, Misc. No. 20-088 (GAG), ECF 18, 23 & 29.

<sup>4</sup> See CARES Act, §15002(b)(3)(A)

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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>5</sup>

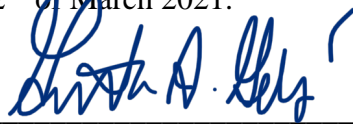
Since the public health and safety concerns related to the COVID-19 pandemic in Puerto Rico continue to impact the District Court’s operations, and upon careful review of the previously granted authorizations under §15002(b)(1), a new 90-day extension is granted, unless terminated earlier,<sup>6</sup> for all the events listed in the Court’s March 31, 2020 *Order*.

This order shall take effect on Friday March 26, 2021. If emergency conditions continue to exist, at the end of the 90-day period, this authorization will be reviewed and extended accordingly.

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

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 22<sup>nd</sup> of March 2021.



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Gustavo A. Gelpi  
Chief, US District Judge

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<sup>5</sup> See §15002(b)(3)(B).

<sup>6</sup> See §15002(b)(3)