

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION**

BONNIE HEATHER MILLER, ROBERT
WILLIAM ALLEN, ADELLA DOZIER
GRAY, and ARKANSAS VOTERS FIRST,

Plaintiffs,

v.

JOHN THURSTON, in his official capacity
as Secretary of State of Arkansas,

Defendant.

Case No. 5:20-cv-05070-pkh

Hon. Paul K. Holmes, III

**BRIEF IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY
INJUNCTION**

EXHIBIT 16

W.D. Ark. Administrative Order 2020-4 entered on April 20, 2020

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS

IN RE: COURT OPERATIONS DURING THE COVID-19 PANDEMIC.

ADMINISTRATIVE ORDER NO. 2020-4

This Administrative Order is being issued in response to the ongoing outbreak of the Coronavirus Disease 2019 (COVID-19) in the Western District of Arkansas. Considering the severity of risk posed to the public, court staff, and other court agencies, in addition to the recommendations from public health officials, this Order extends the moratorium on trials previously entered in Administrative Order No. 2020-1. Accordingly, the following order will be implemented within all divisions in the Western District of Arkansas:

1) All civil and criminal trials (bench and jury) currently scheduled to begin before June 1, 2020 are continued pending further order of the Court. The postponement of these cases will be assessed by the Court in mid to late May to determine whether further postponement is appropriate.

2) As to criminal trials, the time between the date of this administrative order and the new trial date shall be excluded from consideration of the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A), as the Court specifically finds that the ends of justice served by ordering these continuances outweigh the best interests of the public and any defendant's right to a speedy trial.

3) All grand jury proceedings are continued pending further order of the Court. Due to the unavailability of the grand jury, the 30-day time period for filing an indictment or an information is tolled as to any defendant during the time period of the continuances occasioned by Administrative Order No. 2020-1 and this Administrative Order, pursuant to 18 U.S.C. § 3161(b).

4) As to the grand jury, the Court also finds that the ends of justice served by ordering these continuances outweigh the best interest of the public and any defendant's right to a speedy trial. Therefore, the time period of the continuances occasioned by Administrative Order No. 2020-1 and this Administrative Order is excluded from consideration of the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A), and will not be considered in determining if an Indictment or Information is filed within the time limits set forth in 18 U.S.C. § 3161(b).

4) The naturalization ceremony scheduled for May 29, 2020, in Hot Springs, Arkansas is cancelled and will be rescheduled at a later date.

5) Unless amended by this Order, all other provisions of Administrative Order No. 2020-1 and Administrative Order No. 2020-3 remain in effect.

This Order remains in effect until further order of the Court.

IT IS SO ORDERED, this 20th day of April, 2020.


SUSAN O. HICKEY
CHIEF UNITED STATES DISTRICT JUDGE