



COURT OF DOUGLAS COUNTY, NEBRASKA

IN THE MATTER OF
THE ADMINISTRATION OF THE COURT

) MS 21-5
)
) FOURTH AMENDED
) ORDER FOR CRIMINAL JURY TRIALS
) BEGINNING ON March 1, 2021 IN
) THE DOUGLAS COUNTY COURT
) ANNEX BUILDING
)

#36 FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA
JAN 29 2021
JOHN M. FRIEND
CLERK OF THE COURT

On December 20, 2020, the Court entered General Order MS20-110 which canceled the jury panels for the months of January and February 2021. The Court entered this Order due to the Court's inability to safely call and retain an adequate cross-section of jurors, and the effect of following the rapidly evolving public health recommendations on the availability of parties, counsel, citizens accused, law enforcement officers, and court staff. Consequently, the backlog of criminal and civil cases requesting jury trials has increased. In consideration of the constitutional and statutory right to a speedy trial enjoyed by citizens accused in criminal cases, and due to the ongoing restrictions created by the coronavirus/COVID-19 pandemic, the Fourth Judicial District will reinstate the March 2021 Jury Panel solely for criminal cases only.

The Douglas County Annex Building renovation is completed. Accordingly, the *voir dire* in the below-listed criminal cases will take place in the Douglas County Annex Building located at 1805 Harney Street, Omaha, Nebraska 68102 across the street from the Douglas County Courthouse. The jury trials will be limited to the following District Court Judges on their assigned specific dates. The jury trials will be limited to the following criminal cases that have been scheduled.

All civil cases previously scheduled for jury trial in the Court's January 15, 2021 Third Amended General Order MS21-5 are continued for good cause to alleviate the backlog associated with the citizens accused who await to assert their constitutional and statutory right to trial by jury in criminal cases.

Jury selection schedule for March 2021 Criminal Cases Only:

Monday March 1, 2021 CR 20-2061, CR 20-2158 & CR 20-2367 State v. Young (Meckna/Mosby)

Back up 1: CR 20-2129, CR 20-2130 & CR 20-4039 State v. Guidry (Moore/Andrews)

Back up 2: CR 20-3257 State v. Gatluak (Jensen/Andrews)

[A JUDGE WILL FILL IN FOR GLEASON]

Wednesday, March 3, 2021

CR19-4614 State v Derrick M. Walters (Hurley/Pro se Defendant)

[BURNS]

Monday, March 8, 2021

CR 20-617 St. v. Randolph Dye Stormont/Melia

[BATAILLON]

Wednesday, March 10, 2021 CR 19-2145, St. v. Elvis Hanes, (David Wear/Travis Wampler) (Stratman requesting 50 jurors)

Back-up 1: CR 20-645, State v. Victor Cobarruvias-Ozuma, (1B Felony), (Molly Keane/Maria Vera (Stratman requesting 60 jurors)

Back-up 2: CR 20-3240, State v. Alex Washington (Desiree Stormont/David Lehan)

Back-up 3: CR 20-3444, State v. Christopher Cozens, (Tony Clowe/Tamara Mosby)

[STRATMAN]

Monday, March 15, 2021 CR18-2615 State v. Bo Martin (Molly Keane/Ann Petersen)

Backup 1: CR20-2934/CR20-2935 State v. Edward Smith (Desiree Stormont/Leslie Cavanaugh)

Backup 2: CR19-1507 State v. Christopher Taylor (Sean Lavery/Kyle Melia)

Backup 3: CR20-1784 State v. Tavell Mosley (Kati Kilcoin/Magan Jeffrey)

Backup 4: CR20-2372/CR20-2373 State v. Allen Johnson (David Wear/Jeanine Tlustos)

[POLK]

Wednesday, March 17, 2021 CR19-3548 - State v. Piaz-Mateo, Zacarias (Hurley/Igbowke)

Backup 1: CR18-2782, State v. Marek, Robert (Keane/McGough)

Backup 2: CR19-4382, State v. Almageez, Abdul (Beninato/Hoppe)

Backup 3: CR2-2810, State v. Barr, Christopher (Benson/Lucas)

[DOUGHERTY]

Monday, March 22, 2021 CR 20-921 State v. Jamie Alvarado (Jennifer Meckna/Jeanine Tlustos)

Back-up 1: CR 20-1073 State v. Felipe Ramirez-Loarcaz (Kati Kilcoin/Chinedu Igbokwe)

Back-up 2: CR 20-1951 State v. Luis Torres (Ann Miller/Arturo Perez)

Back-up 3: CR 20-2200 State v. Michael Stafford (Eric Wells/Travis Wampler)

Back-up 4: CR 20-1770 State v. Randy Weyerman (Corey Rothrock/James Crampton)

Back-up 5: CR 20-2929 State v. James Beglin (Sarah Moore/Randy Paragas)

[SCHATZ]

Wednesday, March 24, 2021 State v. Fabian Inda, CR-18-3547 (Tressa Alioth/Matthew Miller) (Wheelock requesting 50 jurors)

Back-up 1: State v. Tyler Davidson, CR-20-786 (Beth Beninato/Steve Lefler)

[WHEELOCK]

Jury summonses for the March 2021 jury panel have been mailed.

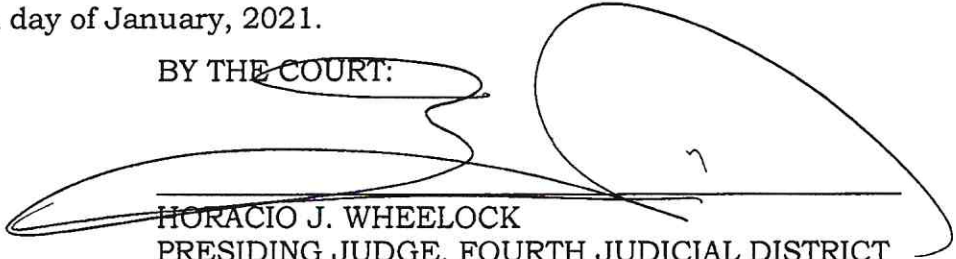
Douglas County District Courts have taken measures to mitigate the effects of this public health emergency upon our Courts and its participants. The Court finds that having any additional trials during the month of March would be impossible due to the ongoing social distancing restrictions for the public. Based on the guidelines of local health officials “a minimum distance of six (6) feet between” all persons is recommended. The Douglas County Courthouse and Courtrooms do not have the space available to accommodate any additional jury trials while at the same time maintaining social distancing restrictions. The Court recognizes that the guidelines recommended by the local health officials are not legally binding on the Court, but the Court, nonetheless, finds that adherence to these recommendations is in the best interest of the public for their health and safety.

Due to the restrictions caused by the pandemic, the Court finds that all other civil cases scheduled for the March, 2021 jury panel are continued for good cause to the next available trial date for the individual court.

IT IS SO ORDERED

Dated this 29th day of January, 2021.

BY THE COURT:



HORACIO J. WHEELOCK
PRESIDING JUDGE, FOURTH JUDICIAL DISTRICT