



002134385D01

DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

IN THE MATTER OF

THE ADMINISTRATION OF THE COURT

#36 FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA

JAN 29 2021

JOHN M. FRIEND

CLERK, DISTRICT COURT

MS 21-6

)
)
) FOURTH AMENDED
) ORDER FOR CRIMINAL JURY TRIALS
) BEGINNING ON MARCH 1, 2021 IN
) THE DOUGLAS COUNTY LEGISLATIVE
) CHAMBERS
)

On December 11, 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 *voir dire* in the below-listed criminal cases will take place in the Douglas County Legislative Chambers located at 1819 Farnam Street, LC4, Omaha, Nebraska 68183 located on the second floor of the Douglas County Civic Center. 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 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.

Due to the restrictions created by the coronavirus/COVID-19 pandemic, the Fourth Judicial District will reinstate the March 2021 Jury Panel for criminal cases only subject to further authorization at a later date by the Douglas County

COVID-19 committee. Jury Selection Jury trials will be limited to the following criminal cases:

Jury selection schedule for March 2021 Criminal Cases Only:

Monday, March 1, 2021 CR20-678 St. v. Joel Gonzalez-Quino (Molly Keane/Allyson Mendoza)

Back up 1: CR18-4183 St. v. Gregory Berger (Erin Hurley/Joe Howard)

[RETELSDORF]

Wednesday, March 3, 2021 CR17-1037 State v. Ottis Walker (Ann Miller/Brenda Beadle/Jerry Hug/James McGough)

Back up 1: CR19-2665- St. v. Kane- Stormont/A. Johnson

Back up 2: CR20-523- St. v. Swift- Beninato/Hayden

Back up 3: CR20-1551- St. v. Walker- Stormont/Obermeyer

Back up 4: CR20-2238- St. v. Jefferson- Keane/Troia

Back up 5: CR20-2032; CR19-872;2441- St. v Newell- Kilcoin/Melia

[DERR]

Monday, March 8, 2021 CR20-1016 - St. v Gulley - Beninato / Wampler

Back-up 1: CR20-1309 - St. v Rollen - MacTaggart - Reeve

Back-up 2: CR20-2508 - St. v Burries - Moore / Wampler

Back-up 3: CR20-3271 - St. v Green - Alagaban / Miller

Back-up 4: CR19-1354 - St. v Abligo - Lavery / Taylor

Back-up 5: CR19-2475 - St. v Lightener - Beninato / Hoffman

Back-up 6: CR20-0297 - St. v Lightener - Beninato / Hoffman

Back-up 7: CR19-2774 - St. v Martin - Lavery / Lehan

Back-up 8: CR20-965 - St. v Fischer - MacTaggart / Jacobs

Back-up 9: CR20-1988 - St. v Garcia - Hagerty / Douglas

[MASTELLER]

Wednesday, March 10, 2021 - CR 19-1869; St. v. Shepherd-Alagaban/Kozel

Back-up 1: CR 20-2287 St. v. Stevens - Alagaban/Mendoza

Back-up 2: CR 20-1706 St. v. Olloway - Lindberg/Mitchell

Back-up 3: CR 20-3142 St. v. Gash - Wells/Taylor

Back-up 4: CR 19-2389 St. v. Avila - Stormont/Mendoza

Back-up 5: CR 19-2891 St. v. Todd - Miller/Jerabek

Back-up 6: CR 19-4477 St. v. Grant - Hagerty/D. Johnson

Back-up 7: CR 20-1006 St. v. Guzman-Jimenez - Beninato/Andrews

Back-up 8: CR 20-1515 St. v. Chuol - Stormont/L. Cavanaugh

Back-up 9: CR 20-976 St. v. Schweiz - Wells/W. Bradford

Back-up 10: CR 20-2978 St. v. Gonzalez-Arriaga - Clowe/Hoetger

Back-up 11: CR 20-3610 St. v. Leeper - Kilcoin/Stensrud

Back-up 12: CR 20-2489 St. v. Vu - Wells/Lehan

[COFFEY]

Monday, March 15, 2021 State vs. Demetrian Washington, CR-20-1481
(Sarah Moore/Allyson Mendoza)

Back-up 1: State vs. James Fairbanks, CR-20-1777 (Brenda Beadle/
Steve Lefler)

Back-up 2: State vs. Alazontae White, CR-20-2370 (Sean Lavery/
Jessica West)

Back-up 3: State vs. Joshua Magistretti, CR-19-4171 (Shawn
Hagerty/Jerry Hug)

Back-up 4: State vs. Caleb Bradshaw, CR-18-56 (Molly Keane/Natalie
Andrews)

[BOWIE]

Wednesday March 17, 2021 - State v. Santos CR19-876 (Beth
Beninato/Noelle Obermeyer)

Back up 1: State v. Guar CR20-3214 (Amy Jacobsen/Doug Johnson)

Back up 2: State v. Dillman CR19-1943 (Eric Wells/Edward Wintroub)

Back up 3: State v. Cooper CR20-3641 (Molly Keane/Kyle Flentje)

Back up 4: State v. Cooper CR20-4056 (Molly Keane/Kyle Flentje)

Back up 5: State v. Davis CR20-3697 (Ryan Lindberg/Korey Taylor)

Back up 6: State v. Trigg CR20-1435 (Desiree Stormont/Noelle Obermeyer)

Back up 7: State v. Armstead CR20-1676 (Tressa Alioth/Kyle Melia)

Back up 8: State v. Wilson, CR19-2716 (Beth Beninato/Doug Johnson)

Back-up 9: State v. Wilson, CR-19-2715 (Beth Beninato, Doug Johnson)

Back-up 10: State v. Anthony Olofson, CR-20-14 (Molly Keane/Jeffrey Leuschen)

Back-up 11: State v. Ian Johnson, CR-20-1314 (Jennifer Meckna/Chad Wythers)

Back-up 12: State v. London Trotter, CR-20-544 (Tressa Alioth/David Lehan)

Back-up 13: State v. Everado Rico, CR-19-1369 (Eric Wells/Lauren Walag)

Back-up 14: State v. David Moody, CR-20-1694 (Michael Jensen/Jessica West)

Back-up 15: State v. Kokou Domepko, CR19-557 (Beth Beninato/Bassel El-Kasaby)

Back-up 16: State v. Scott Black, CR20-1764 (Erin Hurley/Jessica West)

[OTEPKA]

Monday, March 22, 2021 State v. Terrell Pollock, CR20-3838 (Desiree Stormont/Jeffrey Leushen).

[STRATMAN]

Wednesday, March 24, 2021: State v. Emanuel Rodriguez, CR 19-3274,
(E.Hurley /J.Howard)

Back-up: State v. Tyrone S. Stapleton, CR 20-579, (M.Keane /E.Addison)

Back-up: State v. Thejin Dau, CR 20-2267, (M.Jensen /A.Mendoza)

Back-up: State v. Anjular D. Smith, CR 20-3028, (D.Stormont
/T.Wampler)

Back-up: State v. Patrick Lamkins, CR 20-3417, (M.Jensen /S.Delaney)

Back-up: State v. Bryan Munson, CR 19-1714, (K.Kilcoin /N.Andrews)

Back-up: State v. Massey Allen, CR 20-1714, (N.Jones /W.Harry)

Back-up: State v. Kasey L. Nelson, CR 20-2329, (J.Alagaban /C.Tate)

Back-up: State v. Jonathan A. Aragon, CR 20-2447, (E.Fabian /J.West)

Back-up: State v. Anthony S. Ascanio, CR 20-2471, (N.Jones /S.Dornan)

Back-up: State v. Jamell L. Robinson, CR 20-2623, S.Lavery /J.Holst)

[PANKONIN]

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 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.

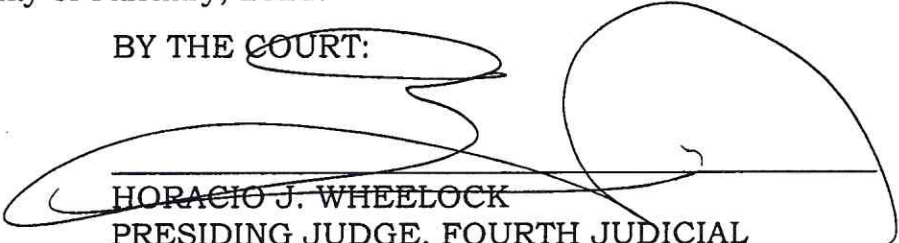
Due to the restrictions caused by the pandemic, the Court finds that all other criminal cases scheduled for the March, 2021 jury panel are continued for

good cause pursuant to Neb. Rev. Stat. § 29-1207(4)(f) 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