



002168049D01

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

IN THE MATTER OF

MS 21-21

THE ADMINISTRATION OF THE COURT

)
)
) FOURTH AMENDED
) ORDER FOR CRIMINAL JURY TRIALS
) BEGINNING ON March 29, 2021 IN
) THE DOUGLAS COUNTY COURT
) ANNEX BUILDING
)

#36 FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA
MAR 30 2021
JOHN M. FRIEND
CLERK DISTRICT COURT

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 April 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 April 2021 Criminal Cases Only:

**Monday March 29, 2021
[OPEN]**

Wednesday March 31, 2021 CR19-2665 State v. Kane (Desirea Stormont/Andrew Johnson)

Back up 1: CR20-1551- St. v. Walker- Stormont/Obermeyer

Back up 2: CR20-3623- St. v. Sacco, Jr.- Stormont/Pfeffer

[DERR]

Monday, April 5, 2021

Primary Case (s) **(IF NOT TRIED ON MARCH 8TH, 2021):**

CR19-2475 - St. v Lightener - Beninato / Hoffman

CR20-0297 - St. v Lightener - Beninato / Hoffman

1st Back-Up: CR19-2774 - St. v Martin - Lavery / Lehan

2nd Back-Up: CR20-965 - St. v Fischer - MacTaggart / Jacobs

3rd Back-Up: CR20-1988 - St. v Garcia - Hagerty / Douglas

4th Back-Up: CR20-2136 - St. v. Birdine - Jacobsen / Johnson

5th Back-Up: CR20-1232 - St. v Nelson - Clowe / Delaney

[MASTELLER]

Wednesday, April 7, 2021 CR20-2712 - St. v Reynoso-Ramirez - Beninato/Vera

1st Back-Up: CR20-2128 - St v. Saucedo - Beninato/Andrews

[RETELSDORF]

Monday, April 12, 2021 State vs. Melvin Ramirez, CR-20-855 (Kati Kilcoin/Thomas Campbell)

Back-up 1: State vs. James T. Henderson, CR-20-634 & CR-20-1949 (Eric Fabian /Joseph Naatz) (Consolidated case)

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

Back-up 3: State vs. Skylar Meier, CR-20-2423 (Mike Jensen/Joe Howard)

Back-up 4: State v. Michael Carter, CR19-3993 (Beth Beninato/Travis Wampler)

[BOWIE]

Wednesday, April 14, 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. Ian Johnson, CR-20-1314 (Jennifer Meckna/W. Randall Paragas)

Back-up 11: State v. London Trotter, CR-20-544 (Tressa Alioth/David Lehan)

Back-up 12: State v. David Moody, CR-20-1694 (Michael Jensen/Jessica West)

Back-up 13: State v. Kokou Domepko, CR19-557 (Beth Beninato/Bassel El-Kasaby)

[OTEPKA]

Monday, April 19, 2021
(C.Rothrock /A.Mendoza)

State v. Victor Henderson, Jr., CR 19-3096,

Back-up 1: State v. Davonte Hill, CR 19-4602, (J. Alagaban/J. Jacobs)

Back-up 2: State v. Bryan Munson, CR 19-1714, (K.Kilcoin /N.Andrews)

Back-up 3: State v. Anthony A. Triplett, CR 21-243 (T.Alioth/M. Miller)

[PANKONIN]

Wednesday, April 21, 2021 State v. Fabian Inda, CR-18-3547 (Tressa Alioth/Matthew Miller) (Wheelock requesting 50 jurors)

Back-up 1: State v. Kevin J. Hurst, CR-20-476 (Nissa Jones/Michael Bianchi)

Back-up 2: State v. Tyler Davidson, CR-20-786 (Beth Beninato/Steve Lefler)

Back-up 3: State v. Juventino Gomez Jr., CR-21-103 (Ryan Lindberg/April Lucas)

[WHEELLOCK]

Jury summonses for the April 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 April 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 April, 2021 jury panel are continued for good cause to the next available trial date for the individual court.

IT IS SO ORDERED

Dated this 30TH day of March, 2021.

BY THE COURT:



HORACIO J. WHEELOCK
PRESIDING JUDGE, FOURTH JUDICIAL DISTRICT