

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
NORTHERN DIVISION

NORTHERN DIVISION SUPPLEMENT	*	STANDING
TO JUDGE LANGE'S	*	ORDER
STANDING ORDER 21-6	*	21-7
	*	

Chief Judge Lange entered Standing Order 21-6 on May 21, 2021. He specifically addresses in paragraph 5 the ability of the presiding judge to determine whether any different or additional standards should apply for a particular court proceeding. The location of offices in the Aberdeen courthouse has been a "problem" for many years, never addressed by the Marshals Service. Their office is in the "secure area" of the courthouse, immediately adjacent to my chambers and the office of my judicial assistant. Within the Marshals office is located one cell with no bathroom facilities. Prisoners are routinely housed in that office, usually with one prisoner in the cell and the other prisoners lined up on chairs right behind the front door. I know of no other courthouse in the United States where prisoners are within the "secure area" of the courthouse and located adjacent to the chambers of the Court. This has presented a dangerous situation ever since I took office in 1995 and has never been addressed, although widely known. The danger has increased with onset of the COVID-19 pandemic.

This Court, in connection with the United States Courthouse in Aberdeen, South Dakota, hereby adopts the following Standing Order as a supplement to Judge Lange's Standing Order.

1) Persons who have not been fully vaccinated or as to whom we do not know the fully vaccinated status shall at all times inside the courthouse wear an N-95 mask or a double mask. This is consistent with Chief Judge Lange's

standing order as applied to employees of the judiciary. It includes the public restrooms, hallways, elevators, clerk's office, court security office, the third floor conference room, courtroom, and the marshal's office. No such person shall consume food in the courthouse which would require the removal of the mask. No such person shall use any electronic equipment which would require the removal of the mask or masks.

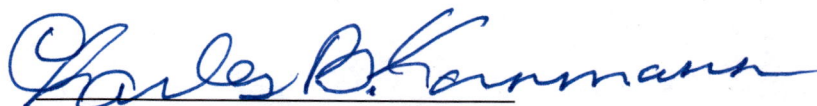
2) All such persons described in paragraph one above shall also at all times within the courthouse maintain social distancing of not less than six feet from all other persons.

3) All such persons described in paragraph one above shall not enter into the chambers of the court, library rooms, office of the magistrate, office of the judicial assistant, office of the law clerks, the bathroom adjacent to the copy room, the 4th floor jury room, or the copy room.

4) This standing order is effective immediately.

Dated at Aberdeen, South Dakota, this 25th day of May, 2021.

BY THE COURT:

A handwritten signature in blue ink that reads "Charles B. Kornmann". The signature is written in a cursive style with a horizontal line underneath the name.

CHARLES B. KORNMANN
United States District Judge