

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

FILED
JAN - 6 2020
by L. Johnson
County Clerk of

IN CIRCUIT COURT
FIRST JUDICIAL CIRCUIT

STATE OF SOUTH DAKOTA,

Plaintiffs,
v.
STEPHEN ROBERT FALKENBERG,
Defendant.

66CRI 19-159

ORDER PROHIBITING CELL PHONES AND
ADDRESSING OTHER DECORUM ISSUES

The Court, seeking to maintain order and protect the fair and impartial determination by the jury of the above-captioned case, hereby

ORDERS that all persons are subject to the following orders of the Court from January 9, 2020 through January 24, 2020 or whenever the trial in the above-entitled case is completed:

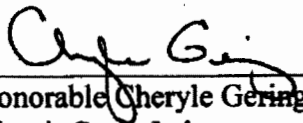
1. All persons entering Courtroom A shall **NOT** be allowed to have in their possession **CELL PHONES, COMPUTERS, RECORDERS, TRANSMITTERS, OTHER ELECTRONIC DEVICES, OR CAMERAS**. Having the phone or device turned off is **not** sufficient. In addition, **NO FOOD OR BEVERAGES MAY BE BROUGHT IN TO THE COURTROOM**. Any item brought into Courtroom A in violation of this order is subject to being confiscated and/or the person with the device/item is subject to being excluded from Courtroom A.
2. All persons are also notified that **SDCL 16-20-3 PROHIBITS THE AUDIO AND VIDEO RECORDING OR BROADCAST OF JURORS AT ANY TIME DURING ANY JUDICIAL PROCEEDING**. Therefore, no one may photograph or in any way record and/or broadcast the image or voice of any potential or seated juror during any part of the trial regardless of whether the jurors are inside or outside the courthouse.
3. All persons entering Courtroom A shall **NOT** be permitted to enter the courtroom with any purse, backpack, briefcase, bag, or container of any type that is over 6 inches by 6 inches by 4 inches in size.
4. All persons entering the Yankton County Courthouse and Safety Center, as well as their personal belongings, are subject to being searched, both electronically and otherwise.
5. The Court will determine what seating is available to the public in Courtroom A and may exclude persons from entering when public seating is not available. If there are more public spectators than

available open seats, those filling the seats will be determined by the Court on either a first-in basis or by a random process determined by the Court.

- 6. Quiet and order among those attending or observing the trial shall be maintained within Courtroom A at all times during the course of the trial as well as in all other areas within and/or adjacent to the Yankton County Courthouse and Safety Center. The appearance and manner of all persons attending the proceedings must be in keeping with the with the dignity of the court and they must conduct themselves in a manner so as not to interfere with the proceedings. No one is allowed to distract or in any way attempt to influence counsel, parties, witnesses, jurors, or the Court.
- 7. Once jury selection is concluded and the trial commences, unless they have prior permission of the Court, no one will be allowed to enter or leave the Courtroom until a break or recess is called,
- 8. For any and all matters related to this case, **NO POTENTIAL OR SEATED JUROR MAY BE CONTACTED** by anyone other than the Court, or court personnel, from this date until the jury is discharged at the conclusion of the trial.
- 9. No one shall interfere with the orderly flow of persons in and out of the Yankton County Courthouse and Safety Center.
- 10. This order is subject to modification by the Court at any time, including any oral orders made during the trial in this case. Attorneys of record and court personnel are exempt from these rules. Any other person who fails to comply with this order and any subsequent oral orders is subject to exclusion from the courtroom and/or courthouse and is subject to punishment under South Dakota law.

Dated this 6th day of January, 2020.

BY THE COURT:



 Honorable Cheryl Gering
 Circuit Court Judge

ATTEST: 
 Jody Johnson
 Yankton County Clerk of Courts

By:  Deputy

