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3 SWINOMISH TRIBAL COURT
4 SWINOMISH INDIAN TRIBAL COMMUNITY
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8 In re:

Case No.: CVSO-2021-0035

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10 Swinomish Tribal Court.

General Order re: Emergency Continuance of
Jury Trials (9/30/2021)

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16 TO: Swinomish Tribal Police; Swinomish Tribal Prosecutor; Swinomish Public Defender;
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18 Parties appearing before the Tribal Court
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21 THIS MATTER came before the Court *sua sponte*. This Order is issued in response to
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23 the continued public health concern caused by Covid-19 and in supplement of previous
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25 emergency orders of the Court regarding this matter. In any place where prior orders are in
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27 conflict with the terms of this order, this order shall prevail.
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30 This order incorporates by this reference previous findings regarding the state of
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32 emergency caused by the Covid-19 virus and the official responses of the nation, state, and
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34 Swinomish Tribe. As of the date of this order, the rate of infection, including infections of Covid
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36 variants and “breakthrough” infections of vaccinated individuals, in the nation and the state
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38 remains high. The immediate Swinomish community continues to experience positive Covid
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40 infections, including “breakthrough” infections of vaccinated individuals. The Tribal Court, in
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42 coordination with the Tribal Senate, will continue to serve the community, but must make
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44 accommodation in procedures to ensure the safety of Tribal Court personnel, parties that appear
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46 before the court, and the public.
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SCANNED
10/4/21 BP

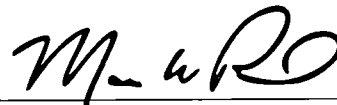
cc: 10/4/2021 Def.
 Prosecutor TA Alcohol
 Probation Police Court
 YCO SFS Initial: BP

1 This court issued a detailed order September 9, 2020 regarding special proceedings and
2 that order remains in full effect. Today, however, the court must address scheduled jury trials.
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5 It is hereby ordered that until further notice, all jury trials are and shall be continued at
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7 least ninety (90) days. Any currently scheduled jury trials are hereby stricken.
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10 The Court continues to find that, due to the current inability to obtain an adequate
11 spectrum of jurors and the effect of the above public health situation on the availability of
12 witnesses, counsel and Court staff to be present in the courtroom, the time period of the
13 continuances ordered and delays in hearings resulting from this crisis will be excluded under
14 SITC 3.03.350 speedy trial requirements, as the Court finds that the ends of justice served by
15 ordering the continuances outweigh the best interests of the public and any defendant's right to a
16 speedy trial.
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25 SO ORDERED this 30th day of September, 2021.
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33 Mark W. Pouley, Chief Judge
34 Swinomish Tribal Court
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