

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHAMIR BATISTA,

Plaintiff,

-v.-

DET. MICHAEL LECLAIR, *Shield No.*
5045,

Defendant.

17 Civ. 1994 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

The Southern District of New York has reconfigured the procedures for jury selection to allow jury trials to proceed as safely as possible during the COVID-19 pandemic. To this end, the Clerk's Office has implemented a centralized calendaring system, pursuant to which up to three cases are scheduled for any given date that may go to jury selection. Due to recent protocol changes that permit jurors to distance three feet apart while masked, jury selection will now take place in an assigned courtroom rather than in the Jury Assembly Room. This relaxing of the distancing rules will allow multiple juries to be selected on the same day, meaning that cases slotted in the first and second positions are both likely to receive a jury panel. To the extent either of the first two cases scheduled for a particular date do not go forward, the third case may proceed to jury selection in their stead.

On August 5, 2021, the Court ordered the trial in this matter to commence on May 9, 2022 (Dkt. #111), and proceeded to request a jury trial for that date. The Clerk's Office has notified the Court that this case has been

placed third on the jury trial list for **May 5, 2022**. The case must be trial-ready for that week, as the Court believes it possible that jury selection may proceed on a day earlier in the week of May 2, 2022. As soon as the Court is able to confirm the date on which this matter will proceed, it will inform the parties.

The dates contained in the Court's trial scheduling order remain in effect. (Dkt. #111). Pursuant to that Order, the parties' Joint Pretrial Order, motions *in limine*, requests to charge, proposed *voir dire* questions, and any pretrial memoranda of law (if any) are due **April 11, 2022**; and any opposition papers to motions *in limine* are due **April 18, 2022**. (*Id.*). The Court will hold the final pretrial conference on **April 27, 2022, at 3:30 p.m.**, in Courtroom 618 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York.

SO ORDERED.

Dated: March 21, 2022
New York, New York



KATHERINE POLK FAILLA
United States District Judge