

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

USA §  
§  
vs. § NO: SA:18-CR-00390(1,2)-OLG  
§  
(1) ROBERT MIKELL USSERY §  
(2) JODIE MARIE MANN §

ORDER RESETTING STATUS CONFERENCE  
AND TOLLING SPEEDY TRIAL

The matters before the court is the status of this case. In light of the current Presidentially declared national emergency due to COVID-19 and considering Chief Judge Orlando Garcia’s exigent circumstances orders dated March 13, 2020 and March 16, 2020 and the Supplemental Orders Regarding Court Operations entered on April 15, 2020, May 8, 2020, June 18, 2020, July 2, 2020, August 6, 2020, September 21, 2020, October 14, 2020, November 18, 2020 and December 10, 2020 which are incorporated by reference:

[www.txwd.uscourts.gov/wp-content/uploads/2020/03/Order-Re-COVID-19.pdf](http://www.txwd.uscourts.gov/wp-content/uploads/2020/03/Order-Re-COVID-19.pdf);

[www.txwd.uscourts.gov/wp-content/uploads/2020/03/ORDER-re-Grand-Jury-Proceedings-031620.pdf](http://www.txwd.uscourts.gov/wp-content/uploads/2020/03/ORDER-re-Grand-Jury-Proceedings-031620.pdf);

[www.txwd.uscourts.gov/wpcontent/uploads/2020/03/SupplementalOrderCOVID19-041520.pdf](http://www.txwd.uscourts.gov/wpcontent/uploads/2020/03/SupplementalOrderCOVID19-041520.pdf);

[www.txwd.uscourts.gov/wp-content/uploads/2020/03/SupplementalOrderCOVID19%20050820.pdf](http://www.txwd.uscourts.gov/wp-content/uploads/2020/03/SupplementalOrderCOVID19%20050820.pdf);

[www.txwd.uscourts.gov/wp-content/uploads/2020/03/SupplementalOrderCOVID061820.pdf](http://www.txwd.uscourts.gov/wp-content/uploads/2020/03/SupplementalOrderCOVID061820.pdf);

[www.txwd.uscourts.gov/wp-content/uploads/2020/07/SupplementOrderRegardingCourtOperationsUnderTheExigentCircumstancesCreatedByTheCovid19Pandemic.pdf](http://www.txwd.uscourts.gov/wp-content/uploads/2020/07/SupplementOrderRegardingCourtOperationsUnderTheExigentCircumstancesCreatedByTheCovid19Pandemic.pdf);

[www.txwd.uscourts.gov/wp-content/uploads/2020/03/SeventhSupplementalOrderCOVID080620.pdf](http://www.txwd.uscourts.gov/wp-content/uploads/2020/03/SeventhSupplementalOrderCOVID080620.pdf);

[www.txwd.uscourts.gov/wp-content/uploads/2020/03/OLGEighthSuppCOVIDOrder092120.pdf](http://www.txwd.uscourts.gov/wp-content/uploads/2020/03/OLGEighthSuppCOVIDOrder092120.pdf); .

[www.txwd.uscourts.gov/wp-content/uploads/2020/03/NinthSuppCovidOrder101420.pdf](http://www.txwd.uscourts.gov/wp-content/uploads/2020/03/NinthSuppCovidOrder101420.pdf);

[www.txwd.uscourts.gov/wp-content/uploads/2020/11/OLGOrderTenthSupplementalCOVID111820.pdf](http://www.txwd.uscourts.gov/wp-content/uploads/2020/11/OLGOrderTenthSupplementalCOVID111820.pdf);

[www.txwd.uscourts.gov/wp-content/uploads/2020/12/OrderEleventhSupplementalCOVID121020.pdf](http://www.txwd.uscourts.gov/wp-content/uploads/2020/12/OrderEleventhSupplementalCOVID121020.pdf)

it is hereby ordered that speedy trial be tolled in this case. In fact, considering the exigent circumstances created by the COVID-19 pandemic, the severity of the risk to those who would otherwise be required to work in close quarters absent a continuance, and the public-health matters that weigh in favor of reducing the size of public gatherings and travel, the Court finds that the best interests of the public are served by this continuance.

Further, in considering the facts and findings in the Western District of Texas' Orders Regarding Court Operations Under The Exigent Circumstances Created By the COVID-19 Pandemic, and the factors the Court listed in 18 U.S.C. § 3161(h)(7)(B), the Court finds that the ends of justice are served by continuing the proceedings and that those factors outweigh the best interests of the public and the defendant in a speedy trial.

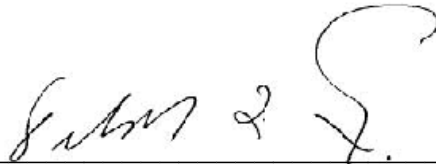
### **STATUS CONFERENCE**

*STATUS CONFERENCE* is reset for *Thursday, February 04, 2021 at 10.00 a.m. in Courtroom Number One, on the First Floor of the, John H. Wood, Jr.*

*United States Courthouse, 655 East Cesar E. Chavez Blvd., San Antonio, Texas.*

IT IS FURTHER ORDERED that the Clerk of the Court shall send a copy of this order to counsel for the defendant, the United States Attorney, the United States Pretrial Services and the United States Probation Office. ***Counsel for the defendant shall also notify the defendant of this schedule*** and advise the defendant that he must be present for all court proceedings unless excused by the Court.

Signed this 15th day of December, 2020

A handwritten signature in black ink, appearing to read "Orlando L. Garcia", written over a horizontal line.

ORLANDO L. GARCIA  
CHIEF U.S. DISTRICT JUDGE