

**FILED**

March 04, 2026

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
MIDLAND/ODESSA AND PECOS DIVISIONS**

BY: David Cano  
DEPUTY

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§

**SECOND**  
**GENERAL ORDER REGARDING SPEEDY TRIAL ACT**

On this day the Court considered the measles outbreak currently impacting West Texas Detention Facility and its implications on speedy trial rights under 18 U.S.C. § 3161. The Court and counsel have been informed that because of the outbreak, a quarantine/lockdown has been imposed by the facility for safety and reduction of further spread. An “ends of justice” continuance under 18 U.S.C. § 3161(h)(7)(A) is typically used to effectuate limited delays in response to case-specific needs.<sup>1</sup> The Court nevertheless concludes that broader “ends of justice” continuances are necessary and appropriate in the Midland/Odessa and Pecos Divisions of the Western District of Texas due to the present measles outbreak, which has affected over one hundred inmates to date.

Although the Court is mindful of its constitutional responsibilities, the need to protect the health of those affected by this outbreak currently outweighs the important rights of individual defendants and the public to speedy trials. The Court reaches this conclusion after careful consideration of the factors set forth in 18 U.S.C. § 3161(h)(7)(B). Specifically, the Court finds that exclusion of time from the respective speedy trial periods is necessary to protect the health and safety of jurors and prospective jurors, court staff and employees, counsel, law enforcement personnel, the public, and not least of all, the accused themselves.

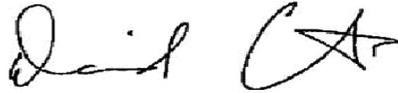
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1. *United States v. Gordon*, 93 F.4th 294, 305 (5th Cir. 2024) (citing *Zedner v. United States*, 547 U.S. 489, 498–99 (2006)).

For these reasons, the Court finds that the ends of justice outweigh the interest of the Defendants and of the public in a speedy trial, and that the period of time from March 5, 2026 through March 22, 2026, is excludable time within the Speedy Trial Act, 18 U.S.C. § 3161, and is hereby **EXCLUDED** from respective speedy trial calculations pursuant to 18 U.S.C. § 3161(h)(7)(A).

It is so **ORDERED**.

**SIGNED** this 4<sup>th</sup> day of March, 2026.

A handwritten signature in black ink, appearing to read "David Counts", with a stylized flourish at the end.

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DAVID COUNTS  
UNITED STATES DISTRICT JUDGE