

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JASON PATRICK, DUANE LEO  
EHMER, DYLAN ANDERSON, SEAN  
ANDERSON, SANDRA LYNN  
ANDERSON, DARRYL WILLIAM  
THORN, and JAKE RYAN,

Defendants.

3:16-cr-00051-BR

TRIAL OBSERVATION ORDER  
FOR TRIAL BEGINNING  
FEBRUARY 14, 2017

BROWN, Judge.

In order to ensure public trial proceedings that are fair and orderly for all concerned, the Court issues this Order and provides the following information related to the jury trial in the above captioned matter set to begin with in-court, jury-selection proceedings on February 14, 2017:

1. Trial Schedule.

The Mark O. Hatfield United States Courthouse opens at 7:00 a.m. Trial proceedings outside the presence of the jury will begin each day no later than 8:30 a.m. and proceedings in the jury's presence will convene no later than 9:00 a.m. each day. Trial proceedings in the jury's presence will adjourn at approximately 4:30 p.m. each day, after which proceedings outside

of the presence of the jury will continue as long as the Court deems necessary to plan for the next trial day.

Trial proceedings in the jury's presence will be held four days per week until the trial is complete. Unless the Court otherwise directs and except for the week of February 20, 2017 (when the Presidents' Day holiday falls on a Monday, court will not be in session on that day, and Court will be in session Tuesday through Friday that week), jury trial proceedings will occur Monday through Thursday of each trial week. The Court may also schedule proceedings outside the jury's presence on non-trial Fridays of each week to facilitate the efficient presentation of evidence in the jury's presence.

**2. Public-Observation Space.**

The jury trial proceedings will be conducted in Courtroom 9A which will have live, public observation space for approximately 25 individuals. Due to the space requirements needed to accommodate an expanded well and jury box for both the trial that began September 7, 2016, and for the upcoming trial, some courtroom space ordinarily available for observers has been lost. The Court, therefore, makes the following allocation of public-observation space:

Each Defendant may designate up to two individuals who will be issued a badge reserving their seats in the public observation area of courtroom 9A at the beginning of each day. In order to

reserve seats in the public observation area, the particular Defendant must provide to the designated U.S. Marshal's Service (USMS) representative no later than 5:00 p.m. on the court day before the relevant trial proceedings for which the seats are being reserved the name(s) of the individual(s) for whom reserved seats are being requested. Seats not reserved by the 5:00 p.m. deadline will be available to public observers.

In addition, two seats in the public observation area of Courtroom 9A will be reserved for "pool reporters" from *The Oregonian* and Oregon Public Broadcasting in the same manner as the Court directed in the Order (#1204) Regarding Media Access to Court Proceedings, issued September 7, 2016.

The remaining seats in the public-observation area will be open to the public, including media representatives, on a first-come, first-served basis. Any observer who obtains a seat in courtroom 9A when the court first convenes will be issued a badge allowing them to keep that seat for the remainder of the day's proceedings. The observer may vacate their seat by turning in their badge at which time it may be reissued to another party.

**3. Overflow Courtroom.**

Courtroom 13A will be available to the public, including media representatives, for observation of trial proceedings via live audio and video feed in the event that Courtroom 9A is unable to accommodate all observers and, in the judgment of the

USMS, there are a sufficient number of individuals who wish to observe proceedings on that day for whom there is not seating space in Courtroom 9A. The Court delegates to the USMS all decisions as to whether and when Courtroom 13A should be opened.

**4. Trial Witnesses Excluded.**

With the exception of parties and the government's case agent, all witnesses are excluded from both Courtroom 9A and Courtroom 13A until any such witness's testimony is complete. Before a witness testifies, counsel for the party calling the witness is responsible for ensuring the witness does not discuss the witness's testimony or any matters occurring during court proceedings with anyone other than counsel or counsel's designee. Any individual who observes any portion of the trial proceedings will not be permitted to later testify.

**5. Secondary Security Screening and Audio/video Recording.**

USMS or such security personnel as designated by USMS ("USMS personnel") will perform secondary screening of all observers in both Courtroom 9A and Courtroom 13A.

Pursuant to the policy of the Judicial Conference of the United States, any photography, audio and/or video recording, and/or electronic transmission of same from any location within the Hatfield Courthouse is strictly prohibited. USMS personnel will enforce this rule strictly.

Outside both Courtroom 9A and 13A, USMS personnel will

collect from all observers, including media members, and will check and store all cellular telephones, smartphones, laptops, and other electronic devices (including wristwatches) that can be used for communication and/or recording purposes. Observers may collect their electronic device(s) from USMS personnel during breaks in the proceedings and when the Court recesses at the end of each day, but all such device(s) must be returned to the USMS personnel before reentering either Courtroom 9A or Courtroom 13A.

**6. Observers' Conduct.**

Observers in Courtroom 9A must remain silent once Court proceedings convene, and they may not disrupt Court proceedings in any way, including by speaking while Court is in session or by engaging in conduct that could distract the parties, jurors, witnesses, or the Court in any way. Observers in Courtroom 9A must enter or reenter the courtroom before proceedings begin or resume, and observers who leave the courtroom while court is in session will not be permitted to return until during the next break in the proceedings. Observers in Courtroom 9A must follow all instructions of USMS and/or Court personnel regarding available seating and courtroom conduct.

Observers in Courtroom 13A may not disrupt other observers or USMS or Court personnel, and they must follow all instructions of USMS and/or Court personnel regarding available seating and courtroom conduct.

Observers, including media representatives, are prohibited from blocking any entrance or exit to the Courthouse or any door or hallway within the Courthouse.

All observers, including media representatives, are strictly prohibited from attempting to communicate with any prospective juror or any juror seated for the trial until the Court releases the jury from service after the trial.

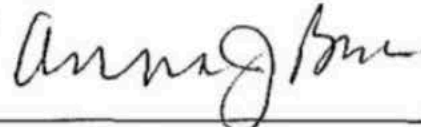
All observers in Courtroom 9A and Courtroom 13A must leave the courtroom promptly during the midday lunch break and when the Court recesses at the end of each day. Observers will not be permitted to have any food or beverages in Courtroom 9A or Courtroom 13A.

**7. Exclusion from Courthouse.**

Any person who violates any provision of this Order is subject to removal from the courtroom and the Courthouse by USMS personnel, and/or exclusion from the public observation spaces in both Courtroom 9A and Courtroom 13A for the remainder of the trial, and/or the imposition of additional sanctions imposed by the Court.

IT IS SO ORDERED.

DATED this <sup>12</sup>12th day of January, 2017.

  
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ANNA J. BROWN  
United States District Judge