



*United States District Court  
Northern District of Ohio  
125 Market Street  
Youngstown, Ohio 44508-1787*

*Carmen E. Henderson  
United States Magistrate Judge*

*Telephone: (330)884-7460  
Facsimile: (234) 232-3192*

## NOTICE

To: OHND Criminal Attorneys; Assistant United States Attorneys; Assistant Federal Public Defenders; CJA Attorneys  
Date: April 17, 2023  
RE: Termination of Cares Act Authorities in Certain Criminal Proceedings

On April 10, 2023, following House and Senate passage, the President signed into law a Joint Resolution (H.J. Res. 7), which provides that “the national emergency declared by the finding of the President on March 13, 2020, in Proclamation 9994 . . . is hereby terminated.” As a result, the authority to use video and teleconferencing technologies in certain criminal proceedings under § 15002(b) of the CARES Act will expire on Wednesday, May 10, 2023. Thereafter, courts will return to pre-pandemic practices and may use video or teleconferencing technologies only pursuant to the provisions of the Federal Rules of Criminal Procedure or any relevant statutes that applied before the CARES Act.

Accordingly, **beginning May 8, 2023, all criminal matters scheduled before Magistrate Judge Henderson will be scheduled for in person appearance in Courtroom 229.** Prior to the pandemic, the Federal Rules of Criminal Procedure allowed for arraignments (Fed. R. Crim. P. 10(c)) and initial appearances (Fed. R. Crim. P. 5(g)) to be conducted via video conferencing with the consent of the defendant. If a defendant wishes for their initial appearance or arraignment to be via video conference, they must contact the court in advance by emailing the courtroom deputy at [Kathryn\\_Sansone@ohnd.uscourts.gov](mailto:Kathryn_Sansone@ohnd.uscourts.gov) and the government requesting that the hearing be conducted by video and stating whether or not the request is opposed. If the request is not confirmed – i.e. if you do not hear back from Judge Henderson – assume that the request is denied and that the hearing will be in person.

*Carmen Henderson*  
Carmen E. Henderson  
United States Magistrate Judge