

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRIMINAL ACTION NO. 5:14-cr-00244

DONALD L. BLANKENSHIP,

Defendant.

AMENDED ORDER

The Court has reviewed the indictment in the above-styled matter which was returned on November 13, 2014. The Court observes that the Defendant and the matters which are referenced in the indictment have been the subject of publicity. After careful consideration, and in light of the prior publicity, the Court finds it necessary to take precautions to insure that the Government and the Defendant can seat jurors who can be fair and impartial and whose verdict is based only upon evidence presented during trial.¹ The restrictions contained in this order will be lifted upon adjudication of the Defendant's guilt or innocence.

Wherefore, the Court does hereby **ORDER** that neither the parties, their counsel, other representatives or members of their staff, potential witnesses, including actual and alleged victims, investigators, family members of actual and alleged victims as well as of the Defendant, nor any

¹ The Court hereby incorporates by reference those factual findings and conclusions contained in the Court's *Memorandum Opinion and Order* (Document 63) regarding pretrial publicity and the interests of those impacted by this order.

court personnel shall make any statements of any nature, in any form, or release any documents to the media or any other entity regarding the facts or substance of this case.

The Court further **ORDERS** that any and all motions, stipulations, discovery requests, responses, supplemental requests and responses, and other relevant documents be filed directly with the Clerk pursuant to Rule 49.1 of the Local Rules of Criminal Procedure, and that access to any documents filed on CM/ECF in this matter, which contain information or argument regarding the facts or substance of this case, be restricted to the case participants and court personnel. However, this order shall not be applicable to documents which have previously been released publicly or orders of the Court, absent specific instruction to the contrary. The Court **DIRECTS** the Clerk to make the docket entries publicly available.

The Court **DIRECTS** the Clerk to send a copy of this Order to the Defendant and counsel, to the United States Attorney, to the United States Probation Office, and to the Office of the United States Marshal.

ENTER: January 7, 2015


IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA