

UNITED STATES COURT OF APPEALS
TENTH CIRCUIT

November 22, 2021

Christopher M. Wolpert
Clerk of Court

In re: Updated Reopening Protocol
Byron White United States Courthouse

No. 95-01

GENERAL ORDER
FILED November 22, 2021

Before **TYMKOVICH**, Chief Judge.

This order amends the Byron White U.S. Courthouse Reopening Protocol (“Protocol”). Unless and until this order is rescinded, anyone who wishes to enter the Byron White United States Courthouse (“Courthouse”) must comply with the latest version of the Protocol as amended by this order. Effective November 22, 2021, public access to the Courthouse is limited to persons who are fully vaccinated¹ against COVID-19, except as expressly set forth herein for attorneys presenting in-person oral argument.

Unvaccinated persons who wish to file documents or submit paper copies in person must use the Clerk’s Office [drop box](#) located just inside the front door of the Courthouse. Unvaccinated attorneys scheduled to present oral argument may either (1) file a motion for leave to appear via video by the deadline set in the oral

¹ Individuals are considered “fully vaccinated” two weeks after receiving the second dose in a 2-dose series (e.g., Pfizer-BioNTech or Moderna) or two weeks after receiving a single dose vaccine (e.g., Johnson & Johnson). Proof of vaccination may be required.

argument notice, or (2) appear in person with proof of a negative result from an FDA-approved COVID viral (PCR/NAAT) test administered no earlier than 72 hours prior to entry to the courthouse. A test result must be in the form of written documentation (paper or digital copy). The documentation must include (1) type of test (indicating it is a PCR or other NAAT test); (2) entity issuing the result; (3) sample collection date (must be no more than 72 hours prior to courthouse entry); (4) information that identifies the person tested; and (5) test result.

Vaccinated attorneys appearing in person for oral argument will be required to show proof of vaccination (a digital record is acceptable). Vaccinated attorneys may also, for good cause, file a motion for leave to appear via video by the deadline set in the oral argument notice.

Entry to the courtrooms for in-person oral arguments is restricted to only court staff and arguing attorneys who meet the aforementioned vaccination or testing requirements. No one else will be permitted in the courtroom. Live-streamed audio of oral arguments will continue to be available to all other interested parties (e.g., non-arguing co-counsel, clients, the media, etc.) via [the court's YouTube channel](#).

In addition, all persons present in areas of the Courthouse that are open to the public² must wear a mask or other face covering that covers their nose and mouth at all times, except that judges hearing oral argument and arguing counsel either while seated at counsel table or while presenting oral argument at the lectern may remove their masks at the discretion of the presiding judge.

This order supersedes the pandemic-related general order entered August 12, 2021.

Entered for the Court,

A handwritten signature in black ink, appearing to read 'C. Wolpert', with a long horizontal stroke extending to the right.

Christopher M. Wolpert
Clerk of Court

² Areas open to the public include, but are not limited to, public entrances/exits, all courtrooms, public elevators, stairwells and hallways, public restrooms, the public side of the Clerk's Office intake counter, the attorney lounge, and public CM/ECF terminal.