

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 21-20011-CR-COOKE**

**UNITED STATES OF AMERICA,**  
Plaintiff,  
Vs.

**DAVID TYLER HINES,**  
Defendant(s).

\_\_\_\_\_ /

**ORDER SETTING HEARING VIA VIDEO CONFERENCE**

**THIS CAUSE** came before the Court *sua sponte*. Given United States District Court, Southern District of Florida's Administrative Order 2020-95 entered on December 7, 2020; and calendar restrictions in the Court's ability to schedule hearings with defendants in custody at FDC-Miami, it is

**ORDERED AND ADJUDGED** that the change of plea hearing in this matter is scheduled for **February 10, 2021 at 11:00 a.m.** If present COVID-19 restrictions are still in place, the hearing may be held via video conference, with instructions to follow. Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting court proceedings. Violation of these prohibitions may result in sanctions, including removal of court-issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court.

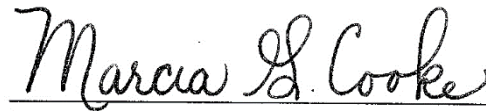
IT IS FURTHER ORDERED as follows:

Because the CARES Act does not require the consent of a defendant to be in writing, such consent may be obtained in the form most practicable under the circumstances, if the defendant's consent is clearly reflected in the record;

If a written waiver is required, and if obtaining an actual signature is impractical given the health and safety concerns presented: (i) a defendant may sign a document electronically; or (ii) defense counsel may sign on the defendant's behalf if the defendant, after an opportunity to consult with counsel, consents; and

Defendant shall return the attached form at least one day prior to the scheduled hearing.

**DONE AND ORDERED** in Miami, Florida, this 20<sup>th</sup> day of February 2021.

A handwritten signature in cursive script, reading "Marcia G. Cooke", written in black ink. The signature is positioned above a horizontal line.

MARCIA G. COOKE  
United States District Judge

Cc: Counsel of record.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 21-20011-COOKE**

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**DAVID TYLER HINES,**

Defendant.

**WAIVER OF PHYSICAL PRESENCE IN COURT AND CONSENT TO APPEAR  
BY VIDEO OR TELECONFERENCE UNDER THE CARES ACT, PUB. L. NO.  
116-136, 134 STAT. 281**

**COMES NOW** Defendant David Tyler Hines, who states:

1. I have read the Indictment/Information/Petition (or it was read to me) and understand the charges that have been brought against me.
2. I have consulted with my attorney. I understand that I am guaranteed the right to be present at all criminal proceedings if my presence is critical to the outcome of the proceeding and would contribute to the fairness of the proceeding.
3. I understand that the guaranteed right to be present means the right for me to be present, in person in the courtroom, with my attorney, the prosecutor, and the judge.
4. I understand that I can waive the guaranteed right to appear in person and consent to appear, at today's hearing, by video teleconference or telephone conference.
5. I       waive       **do not waive** (check one) my right to be present, in person in the courtroom, for today's proceeding(s) (name proceeding(s)):  
\_\_\_\_\_,  
and/or for all proceedings on Exhibit A attached hereto identified by checkmark and the initials of the Defendant and/or Defendant's attorney.
6. I       consent       **do not consent** (check one) to appearing by video teleconference or telephone conference if video teleconference is not reasonably available for today's proceeding(s) (name proceeding(s)):  
\_\_\_\_\_.

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Defendant's Signature<sup>1</sup>

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Defense Counsel's Signature

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Defendant's Name (printed)

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Defense Counsel's Name (printed)

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Date

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Date

ACCEPTED BY:

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**MARCIA G. COOKE**  
**UNITED STATES DISTRICT JUDGE**

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Date

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<sup>1</sup> Due to the COVID-19 pandemic, conformed signatures by permission will be accepted. If signed by permission, defense counsel represents that Defendant gave express permission to apply his or her signature.