


COPY

IN THE SUPERIOR COURT OF RICHMOND COUNTY

STATE OF GEORGIA

IN RE:
DECLARATION OF JUDICIAL
EMERGENCY

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FILED IN OFFICE
AUG 18 2020

HATTIE HOLMES SULLIVAN
CLERK OF SUPREME
COURT OF GEORGIA

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HATTIE HOLMES SULLIVAN
CLERK OF SUPREME COURT
RICHMOND CO., GA.

**AMENDED ORDER DESIGNATING 401 WALTON WAY &
CRAIG-HOUGHTON ELEMENTARY SCHOOL AS
THE AUGUSTA-RICHMOND COUNTY JUDICIAL CENTER
JOHN H. RUFFIN, JR. COURTHOUSE ANNEXES
FOR THE CONDUCT OF JUDICIAL BUSINESS**

-1-

WHEREAS, for the fifth time, Chief Justice Harold D. Melton of the Supreme Court of Georgia has issued a Statewide Judicial Emergency order in response to the COVID-19 pandemic.

-2-

WHEREAS, irreparable harm will result to the taxpayers and citizens of Augusta-Richmond County as a result of the inability to try thousands of cases (DUI, Family Violence, aggravated assaults, sexual assaults, etc.) for lack of courtroom space if any of the defendants reoffend awaiting trial. Demolition of 401 Walton Way would deprive the taxpayers of Augusta-Richmond County two courtrooms larger than any in the existing judicial center and two others that may be used for bench trials. All four of the courtrooms in 401 Walton Way have lockup facilities. The loss of these four courtrooms would greatly limit the ability to provide necessary court dates as a result of the ongoing COVID-19 pandemic.

WHEREAS, irreparable harm will result to the taxpayers and citizens of Augusta-Richmond County as a result of the demolition of a historic property and landmark (birthplace of the riots of 1970, museum of testimonies for many who spent time there and their families, training center for chefs, floor technicians, persons who became converted therein, and automobile detailers, etc.). Historically, many lawyers tried their first case in one of the four courtrooms at 401 Walton Way.

WHEREAS, irreparable harm will result to the taxpayers and citizens of Augusta-Richmond County as a result of the demolition of an income producing property and popular film set, used by production companies from across the country. Major motion pictures have been filmed at the premises and more are scheduled to be filmed but have been delayed by COVID-19. Other major cities, Atlanta, Savannah and Columbus are capitalizing on the income producing potential of filmmaking. The courtrooms and cells have been allowed for such usage.

Filming at 401 Walton Way generates direct revenue for Augusta-Richmond County through rental and permit fees. More importantly, production companies who film at 401 Walton Way inject millions of dollars into Augusta-Richmond County's economy and have agreed to provide training opportunities for youth and adults.

WHEREAS, irreparable harm will result to the taxpayers and citizens of Augusta-Richmond County if requested to spend millions of dollars on medical expenses for inmates in the Webster Detention Center as a result of the Corona virus. As of today 19 inmates have tested

positive. The Detention Center has been required to establish G-Pod as a COVID-19 pod and is requesting release of certain inmates constantly.

-6-

WHEREAS, the premier demolition expert and taxpayer Hiram Thompson of Thompson Building Wrecking Company, Inc. declined to bid on demolition of the premises at 401 Walton Way on the basis that the building should be used for troubled youth in the community. See Exhibit "A" attached hereto.

-7-

WHEREAS, irreparable harm continually results to the taxpayers and citizens of Augusta-Richmond County by the Commissioners' years long indecision regarding the premises of 401 Walton Way. The Commission initially voted to demolish 401 Walton Way. The Commissioners directed the County Administrator, Janice Allen Jackson, to locate funding for the demolition. Central Services Department prepared to receive contractor bids to perform the demolition during this time.

On July 18, 2017, the Commission voted unanimously to allow the Public Safety Committee to review the viability of using 401 Walton Way as a juvenile facility. The Public Safety Committee approved a two-part study of 401 Walton Way to be conducted at a cost of \$100,000 in December 2017.

On March 13, 2018, the Public Safety Committee decided to move forward with developing a financial plan to demolish a portion of 401 Walton Way, but maintain and renovate Building A and its courtrooms for use as a Juvenile Court. Only a week later, on March 20, the Commission, in a substitute motion, voted unanimously to demolish Buildings B, C, and D, while maintaining Buildings A and E for use as a Juvenile Justice Center. The Commission

instructed the County Administrator, Jackson, to locate funding for the necessary renovations. As a result of this decision, each Commissioner was awarded a Certificate of Appreciation at the Commission meeting held June 5, 2018 and at a prior luncheon.

At the Commission meeting on April 2, 2019, without discussion, and after Allen expended county resources and funds for a second time to find funding for action on 401 Walton Way, the Commission again changed course voting to demolish 401 Walton Way.

On January 8, 2020, for the fourth time, the Commission changed its mind voting to delay the demolition of 401 Walton Way for one year in order to explore the possibility of the premises' simultaneous use as both a film set and Juvenile Justice Center. Just a few months later, in May 2020, the Commission unanimously agreed to spend thousands of taxpayer dollars in order to renovate the elevator in the 401 Walton Way tower.

On July 28, 2020, the Commission changed course for the fifth time and voted to demolish 401 Walton Way in response to Judge Brown's certificate of need.

Throughout these years of indecision on 401 Walton Way, the Commission has failed to even begin initial planning for construction of a juvenile facility elsewhere in Richmond County.

-8-

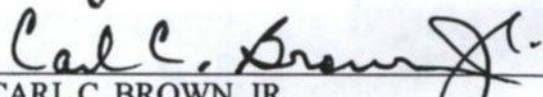
WHEREAS, irreparable harm will result to the taxpayers and citizens of Augusta-Richmond County if the city does not follow its precedent of allowing an old jail facility to be remodeled and used. The government has remodeled and allowed the old city stockade, built many years before 401 Walton Way, to be used as an animal shelter for abused and abandoned animals. The same privilege should be extended to the children of Richmond County for training, treatment and the rendering of services at 401 Walton Way, in addition to conducting court business.

WHEREAS, irreparable harm will result to the taxpayers and citizens of Augusta, Georgia if the premises at 401 Walton Way and Craig Houghton School are not renovated to address incidents that may occur as a result of the 57% (over 16,000) school age children attending class online from home during school hours due to COVID-19. The work requirements of parents may leave many children unsupervised, causing an increase in reported and unreported incidents of juvenile crime and incidents where a juvenile is victimized by the crimes of others. There are 6 juvenile murder cases pending in Richmond County.

IT IS ORDERED that attorneys Tanya D. Jeffords and Victor Hawk are added to the Committee of Receivers.

IT IS ORDERED that all parties and Receivers shall appear in Courtroom 2E of the Augusta-Richmond County Judicial Center, John H. Ruffin, Jr. Courthouse on September 16, 2020, at 10:00 A.M. for a status hearing.

SO ORDERED this 14th day of August, 2020.



CARL C. BROWN, JR.
CHIEF JUDGE, SUPERIOR COURT
AUGUSTA JUDICIAL CIRCUIT

Kelly Campbell

From: hiram@thompsonwrecking.com
Sent: Tuesday, April 23, 2019 2:50 PM
To: Kelly Campbell
Subject: [EXTERNAL] RE: Email from Judge Brown: Important Meeting re: a facility for Richmond Co Juvenile Court

The honorable judge Carl Brown, Sir, was disappointed to hear that the old law enforcement center structure was going to be demolished despite your efforts to save the building for a much needed facility in Augusta Richmond county to save many of our young people from a life of possible crime and despair . Although It is true that my company could possibly gain from the demolition of the old building I however would have preferred it to become a center for troubled young in our community. Please call on me in the future if I can assist you in any way. Respectfully, Hiram

Exhibit A

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that the undersigned has served a copy of the within and foregoing Amended Order Designating Alternative Facility for the Conduct of Judicial Business upon the following persons by hand-delivery or mail in a properly addressed envelope, with adequate postage affixed:

The Honorable Hardie Davis, Jr.
Mayor, Augusta-Richmond County
535 Telfair Street, Suite 200
Augusta, GA 30901

The Honorable William Fennoy
Commissioner, Augusta-Richmond County
535 Telfair Street, Suite 220
Augusta, GA 30901

The Honorable Dennis Williams
Commissioner, Augusta-Richmond County
535 Telfair Street, Suite 220
Augusta, GA 30901

The Honorable Mary Davis
Commissioner, Augusta-Richmond County
535 Telfair Street, Suite 220
Augusta, GA 30901

The Honorable Sammie Sias
Commissioner, Augusta-Richmond County
535 Telfair Street Suite 220
Augusta, GA 30901

The Honorable Bobby Williams
Commissioner, Augusta-Richmond County
535 Telfair Street, Suite 220
Augusta, GA 30901

The Honorable Ben Hasan
Commissioner, Augusta-Richmond County
535 Telfair Street, Suite 220
Augusta, GA 30901

The Honorable Sean Frantom
Commissioner, Augusta-Richmond County
535 Telfair Street, Suite 220
Augusta, GA 30901

The Honorable Brandon Garrett
Commissioner, Augusta-Richmond County
535 Telfair Street, Suite 220
Augusta, GA 30901

The Honorable Marion Williams
Commissioner, Augusta-Richmond County
535 Telfair Street, Suite 220
Augusta, GA 30901

The Honorable James G. Blanchard, Jr.
Presiding Judge, Superior Court
Augusta Judicial Circuit
P. O. Box 2656
Evans, GA 30809

The Honorable Sheryl B. Jolly
Judge, Superior Court
Augusta Judicial Circuit
735 James Brown Boulevard, Suite 4204
Augusta, GA 30901

The Honorable Daniel J. Craig
Judge, Superior Court
Augusta Judicial Circuit
735 James Brown Boulevard, Suite 4206
Augusta, GA 30901

The Honorable J. Wade Padgett
Judge, Superior Court
Augusta Judicial Circuit
P. O. Box 2656
Evans, GA 30809

CERTIFICATE OF SERVICE

The Honorable John Flythe
Judge, Superior Court
Augusta Judicial Circuit
735 James Brown Boulevard, Suite 4203
Augusta, GA 30901

The Honorable Ashley Wright
Judge, Superior Court
Augusta Judicial Circuit
735 James Brown Boulevard, Suite 4204
Augusta, GA 30901

The Honorable David D. Watkins
Chief Judge, State Court
Augusta-Richmond County
735 James Brown Boulevard, Suite 4103
Augusta, GA 30901

The Honorable Patricia W. Booker
Judge, State Court
Augusta-Richmond County
735 James Brown Boulevard, Suite 4103
Augusta, GA 30901

The Honorable Kellie K. McIntyre
Judge, State Court
Augusta-Richmond County
735 James Brown Boulevard, Suite 4105
Augusta, GA 30901

The Honorable Monique Walker
Judge, State Court
Augusta-Richmond County
735 James Brown Boulevard, Suite 4105
Augusta, GA 30901

The Honorable H. Scott Allen
Judge, Civil and Magistrate Courts
Augusta-Richmond County
735 James Brown Boulevard, Suite 4104
Augusta, GA 30901

The Honorable Therese Barnes
Clerk of Supreme Court of Georgia
Nathan Deal Judicial Center
330 Capitol Avenue, S.E.
1st Floor, Suite 1100
Atlanta, Georgia 30334

The Honorable Harold D. Melton
Chief Justice, Supreme Court of Georgia
Nathan Deal Judicial Center
330 Capitol Avenue, S.E.
Atlanta, Georgia 30334

The Honorable Richard Roundtree
Richmond County Sheriff
400 Walton Way
Augusta, GA 30901

The Honorable Ramone Lampkin
Richmond County Marshal
535 Telfair Street, Ste 720
Augusta, GA 30901

The Honorable Kate Mason
Office of the Public Defender,
Augusta Judicial Circuit
902 Greene Street
Augusta, GA 30901

The Honorable Harry B. James, III
Judge, Probate Court
Augusta-Richmond County
735 James Brown Boulevard, Suite 1000
Augusta, GA 30901

The Honorable Natalie S. Paine
District Attorney, Augusta Judicial Circuit
735 James Brown Boulevard, Suite 2400
Augusta, GA 30901

The Honorable Omeeka P. Loggins
Solicitor General, State Court
Augusta-Richmond County
735 James Brown Boulevard, Suite 2500
Augusta, GA 30901

CERTIFICATE OF SERVICE

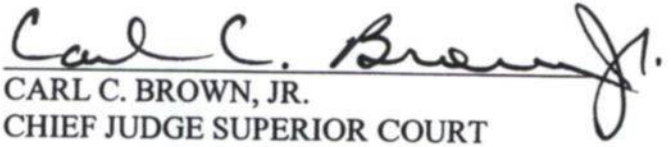
The Honorable Hattie H. Sullivan
Clerk of Court
Augusta-Richmond County
735 James Brown Boulevard, Suite 1500
Augusta, GA 30901

The Honorable Vickie W. Hester
Clerk of Civil and Magistrate Courts
735 James Brown Boulevard, Suite 1400
Augusta, GA 30901

The Honorable Steve E. Castlen
Clerk of Court of Appeals of Georgia
330 Capitol Avenue S.E., Suite 1601
Atlanta, Georgia 30334

The Honorable Christopher J. McFadden
Chief Judge, Court of Appeals of Georgia
47 Trinity Avenue, Suite 501
Atlanta, Georgia 30334

This 14th day of August, 2020.


CARL C. BROWN, JR.
CHIEF JUDGE SUPERIOR COURT
AUGUSTA JUDICIAL CIRCUIT
735 James Brown Boulevard, Suite 4203
Augusta, GA 30901-2974