

IN THE SUPERIOR COURT OF BURKE COUNTY
STATE OF GEORGIA

CLERK OF SUPERIOR, S
AND JUVENILE COURT
FILED FOR RE

2021 AUG 27 PM 4:30

EXTENSION OF THE JUDICIAL EMERGENCY ORDER

RADETA G. SMITH, JUDGE
BURKE COUNTY, GA.

On March 13, 2020 President Donald Trump declared a National Emergency concerning the Novel Coronavirus Disease (COVID-19) outbreak. On March 14, 2020, Chief Justice Harold Melton entered an Order Declaring Statewide Judicial Emergency tolling any deadlines, other time schedules, or filing requirements imposed by statutes, regulations, rules, or court orders in civil, and criminal cases, or administrative matters. Chief Justice Melton's Judicial Emergency Order was extended fifteen (15) times, and expired on June 30, 2021 at 11:59 p.m.¹ Upon expiration of the Fifteenth Order Extending Declaration of Statewide Judicial Emergency, all deadlines are reimposed.

On July 1, 2021, Chief Judge James G. Blanchard, Jr. entered an Order declaring a local judicial emergency pursuant to O.C.G.A. §38-3-61. That Order tolled statutory speedy trial requirements, and the time constraints to bring a case to trial pursuant to O.C.G.A. §17-7-170 and O.C.G.A. §17-7-171. Nothing in the Order relieved the State of its constitutional obligation to provide for a speedy and public criminal trial.

On July 30, 2021, Chief Judge Daniel J. Craig entered an Order extending the judicial emergency pursuant to O.C.G.A. §38-3-61. That Order continued to toll statutory speedy trial requirements, and the time constraints to bring a case to trial pursuant to O.C.G.A. §17-7-170 and O.C.G.A. §17-7-171.

Due to the continued and negative impact of the COVID-19 pandemic, on August 19, , Governor Brian Kemp issued an Executive Order renewing the State of Emergency for the State of Georgia. That Executive Order is set to expire on September 28, 2021, unless renewed by the Governor.

Pursuant to O.C.G.A. §38-3-61, the Chief Judge of a superior court may toll deadlines, other time schedules, or filing requirements imposed by statutes, rules, regulations, or court orders in a judicial emergency.

¹ All of the prior Judicial Emergency Orders may be viewed at www.gasupreme.us.

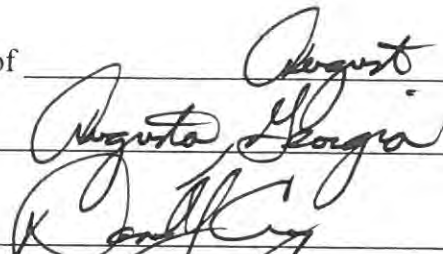
IT IS HEREBY ORDERED AND DECLARED that there continues to be an ongoing judicial emergency existing in Burke County, Georgia. This judicial emergency continues to arise from the COVID-19 pandemic. The duration of the COVID-19 pandemic, the declaration of the State of Emergency by Governor Kemp, and the Statewide Judicial Emergency created an extensive backlog of pending cases which necessitates the extension of the Judicial Emergency order imposed on July 1, 2021, and extended on July 30, 2021.

IT IS FURTHER ORDERED THAT the Judicial Emergency Order, originally entered on July 1, 2021, extended on July 30, 2021, and expiring on August 29, 2021 at 11:59 p.m. shall be extended for thirty (30) days. The second extension of the Judicial Emergency Order shall go into effect on August 30, at 12:00 a.m, and expire on September 28, 2021 at 11:59 p.m. This extension shall apply to all courts within Burke County.

IT IS FURTHER ORDERED that the requirements for the filing of a statutory speedy trial demand were tolled effective July 1, 2021 and continue to be tolled. The time constraints to bring a case to trial pursuant to O.C.G.A. §17-7-170 and O.C.G.A. §17-7-171 will remain tolled in all courts of Burke County for the duration of this Order. Nothing in this Order shall relieve the State of its constitutional obligation to provide for a speedy and public criminal trial.

Further, as the Court continues to reopening after the onset of the COVID-19 pandemic, certain general practices will need to be followed to ensure the health of litigants, court personnel and the public. Therefore, the Court will review all current and future Center for Disease Control (CDC) guidelines, and current and future orders and guidance from Governor Kemp. The Court will follow all orders issued by Governor Kemp. Specifically, masks are not required, but are encouraged.

SO ORDERED this 27th day of August, 2021
at 2:55 ~~am~~ / p.m. at Augusta, Georgia (location).



DANIEL J. CRAIG
Chief Judge, Superior Court of Burke County
Augusta Judicial Circuit

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Judicial Emergency Order was served via E-Mail on the date listed below and to the following entities and individuals:

Supreme Court of Georgia
Chief Justice David Nahmias
Therese Barnes, Clerk
barnest@gasupreme.us

Georgia Court of Appeals
Patty Bender, Deputy Clerk
coaefast@gaappeals.us

Burke County Magistrate Judge
Hon. Cynthia Kelley
c.kelley@burkecounty-ga.gov

Burke County Probate Judge
Hon. Ashley Moore Jr.
a.moore@burkecounty-ga.gov

Augusta Circuit Juvenile Court
Keith B. Johnson
kj@keithbjohnsonlaw.com

Burke County State Court
Hon. Jackson E. Cox
jcox@burkecounty-ga.gov

Burke County Clerk of Court
Radeta Smith
Radeta.smith@gsccca.org

Augusta Judicial Circuit District Attorney
Jared T. Williams
jwilliams@augustaga.gov

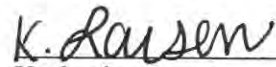
Augusta Judicial Circuit Public Defender
Lyndsey Hix
lhix@augustaga.gov

Augusta Bar Association
Steven Sanders, President
ssanders@fulcherlaw.com

State Bar of Georgia
Mercedes Ball, Director
mercedesb@gabar.org

In addition, a copy of this Order shall be posted in the Courthouse and any annex of the courthouse in a conspicuous location to allow for public viewing.

This 24 day of August, 2021



Katherine Larsen
Judicial Staff Attorney to
Honorable Daniel J. Craig

735 James Brown Blvd, Suite 4206
Augusta, GA 30901
Phone: 706-821-2835

FILED IN OFFICE

July 1, 2021

Theresa A. Bame

SUPREME COURT OF GEORGIA

**IN THE SUPERIOR COURT OF BURKE COUNTY
AUGUSTA JUDICIAL CIRCUIT
STATE OF GEORGIA**

CLERK OF SUPERIOR, STATE
AND JUVENILE COURT
FILED FOR RECORD
2021 JUL -1 PM 1:43
RADETA G. SMITH, CLERK
BURKE COUNTY, GA.

In Re: Local Judicial Emergency Order

Date: July 1, 2021

ORDER

On March 13, 2020 President Donald Trump declared a National Emergency concerning the Novel Coronavirus Disease (COVID-19) outbreak. Effective March 14, 2020, Georgia Governor, Brian Kemp, declared a Public Health Emergency in Georgia in an effort to assist health and emergency management officials across the State by deploying all available resources for the mitigation and treatment of COVID-19.

In response to the Governor's declaration, on March 14, 2020 Chief Justice Harold Melton entered an Order Declaring Statewide Judicial Emergency due to the spread of COVID-19 and in an attempt to protect the health, safety, and liberty of all citizens in the State of Georgia. Chief Justice Melton's Judicial Emergency Order has now been extended fifteen (15) times, with the most recent version filed on June 7, 2021 and set to expire June 30, 2021 at 11:59 p.m., the same time the Public Health State of Emergency declared by the Governor is set to expire. All of the prior Judicial Emergency Orders are available on the Georgia Supreme Court's website, www.gasupreme.us.

The March 14, 2020 Judicial Emergency Order suspended, tolled, extended, and otherwise granted relief from any deadlines and other time schedules and filing requirements (referred collectively herein as "deadlines") imposed by otherwise applicable statutes, rules, regulations, or court orders in civil and criminal cases and administrative matters. The majority of the deadlines on litigants were reimposed, effective July 14, 2020, by the Fourth Order Extending Declaration of Statewide Judicial Emergency filed on July 10, 2020.

The exceptions to the reimposition of deadlines on litigants included deadlines for jury trial proceedings (including statutory speedy trial demands), deadlines for grand jury

proceedings, and deadlines calculated by reference to the date of a civil or criminal jury trial or grand jury proceeding. The Fifteenth Order Extending Declaration of Statewide Judicial Emergency ordered that the grand jury and jury trial deadlines would remain tolled; however, said Order also indicated that all deadlines not already reimposed will immediately be reimposed (unless tolled by applicable local judicial emergency order) when the statewide judicial emergency order expires.

NOW THEREFORE, pursuant to O.C.G.A. § 38-3-60(1)(B), the Honorable James G. Blanchard, Jr., Chief Judge of the Augusta Judicial Circuit, DOES HEREBY ORDER AND DECLARE that there is an ongoing judicial emergency existing in this county which has been created by the statewide judicial emergency that has persisted for approximately fifteen (15) months immediately preceding this Order. This Order shall be considered a declaration of a local judicial emergency as anticipated under O.C.G.A. § 38-3-61(a). The extreme duration of the statewide judicial emergency created an extensive backlog of pending cases which necessitates the instant Judicial Emergency Order to be entered which will limit the reimposition of certain procedural deadlines and allow the courts to adequately assess and work through the backlog of cases that presently exist in this county.

WHEREFORE, pursuant to O.C.G.A. § 38-3-61(a), IT IS HEREBY ORDERED that during the term of this judicial emergency, the requirements for the filing of a statutory speedy trial demand imposed by O.C.G.A. §§ 17-7-170 and 17-7-171 are hereby reinstated, effective July 1, 2021. The time constraints to bring a case to trial as imposed by O.C.G.A. §§ 17-7-170 and 17-7-171 will remain tolled in all courts of this county for the duration of this Order. Nothing in this Order shall relieve the State of its constitutional obligation to provide for a speedy and public criminal trial.

IT IS FURTHER ORDERED, during the pendency of this Order, any statutory deadlines pertaining to the time within which any and all classes of court must conduct hearings shall be suspended for the duration of this Order.

WHEREFORE, pursuant to O.C.G.A. § 38-3-61(b), the instant Judicial Emergency Order shall go into effect immediately and shall remain in full force and effect for thirty (30) days, expiring on July 30, 2021 at 11:59 p.m., and shall apply to all courts within Burke County.

FURTHER, as the Court continues on the path of reopening after the onset of the COVID-19 pandemic, certain general practices will need to be followed to ensure the health of litigants, court personnel and the public. Therefore, all current and future Center for Disease Control (CDC) guidelines shall be followed by the courts and are hereby incorporated into this Order. More specifically, effective July 1, 2021, upon entry to the Courthouse and courtrooms, those persons vaccinated for COVID-19 are not required to wear a mask. Those unvaccinated, at risk, or otherwise vulnerable are encouraged to wear a mask.

SO ORDERED this 1st day of July, 2021
at 12:01 a.m. / p.m. at Columbia County Deegan (location).



JAMES G. BLANCHARD, JR.
Chief Judge, Superior Court of Burke County
Augusta Judicial Circuit

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Judicial Emergency Order was served via E-Mail on the date listed below and to the following entities and individuals:

Supreme Court of Georgia
Chief Justice David Nahmias
Therese Barnes, Clerk
barnest@gasupreme.us

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Patty Bender, Deputy Clerk
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Hon. Cynthia Kelley
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Hon. Ashley Moore Jr.
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kbj@keithbjohnsonlaw.com

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Hon. Jackson E. Cox
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Burke County Clerk of Court
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Augusta Judicial Circuit District Attorney
Jared T. Williams
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Augusta Judicial Circuit Public Defender
Katherine Mason
kmason@augustaga.gov

Augusta Bar Association
Steven Sanders, President
ssanders@fulcherlaw.com

State Bar of Georgia
Mercedes Ball, Director
mercedesb@gabar.org

In addition, a copy of this Order shall be posted in the Courthouse and any annex of the courthouse in a conspicuous location to allow for public viewing.

This 1st day of July, 2021



Lisa Hudson
Staff Attorney to the
Honorable James G. Blanchard Jr.

Office of Chief Judge James G. Blanchard Jr.
Augusta Judicial Circuit
Po Box 2657
Evans, GA 30809
(706) 312-7355

**IN THE SUPERIOR COURT OF BURKE COUNTY
STATE OF GEORGIA**

EXTENSION OF THE JUDICIAL EMERGENCY ORDER

On March 13, 2020 President Donald Trump declared a National Emergency concerning the Novel Coronavirus Disease (COVID-19) outbreak. On March 14, 2020, Chief Justice Harold Melton entered an Order Declaring Statewide Judicial Emergency tolling any deadlines, other time schedules, or filing requirements imposed by statutes, regulations, rules, or court orders in civil, and criminal cases, or administrative matters. Chief Justice Melton's Judicial Emergency Order was extended fifteen (15) times, and expired on June 30, 2021 at 11:59 p.m.¹ Upon expiration of the Fifteenth Order Extending Declaration of Statewide Judicial Emergency, all deadlines are reimposed.

On July 1, 2021, Chief Judge James G. Blanchard, Jr. entered an Order declaring a local judicial emergency pursuant to O.C.G.A. §38-3-61. That Order tolled statutory speedy trial requirements, and the time constraints to bring a case to trial pursuant to O.C.G.A. §17-7-170 and O.C.G.A. §17-7-171. Nothing in the Order relieved the State of its constitutional obligation to provide for a speedy and public criminal trial.

Pursuant to O.C.G.A. §38-3-61, the Chief Judge of a superior court may toll deadlines, other time schedules, or filing requirements imposed by statutes, rules, regulations, or court orders in a judicial emergency.

IT IS HEREBY ORDERED AND DECLARED that there continues to be an ongoing judicial emergency existing in Burke County, Georgia. This judicial emergency continues to arise from the COVID-19 pandemic. The duration of the COVID-19 pandemic and the Statewide Judicial Emergency created an extensive backlog of pending cases which necessitates the extension of the Judicial Emergency order imposed on July 1, 2021.

IT IS FURTHER ORDERED THAT the Judicial Emergency Order, entered on July 1, 2021, expiring on July 30, 2021 at 11:59 p.m. shall be extended for thirty (30) days. The

¹ All of the prior Judicial Emergency Orders may be viewed at www.gasupreme.us.

extension of the Judicial Emergency Order shall go into effect on July 31, at 12:00 a.m. and expire on August 29, 2021 at 11:59 p.m. This extension shall apply to all courts within Burke County.

IT IS FURTHER ORDERED that the requirements for the filing of a statutory speedy trial demand were tolled effective July 1, 2021 and continue to be tolled. The time constraints to bring a case to trial pursuant to O.C.G.A. §17-7-170 and O.C.G.A. §17-7-171 will remain tolled in all courts of Burke County for the duration of this Order. Nothing in this Order shall relieve the State of its constitutional obligation to provide for a speedy and public criminal trial.

Further, as the Court continues to reopening after the onset of the COVID-19 pandemic, certain general practices will need to be followed to ensure the health of litigants, court personnel and the public. Therefore, the Court will review all current and future Center for Disease Control (CDC) guidelines, and current and future orders and guidance from Governor Kemp. The Court will follow all orders issued by Governor Kemp. Specifically, masks are not required, but are encouraged.

SO ORDERED this 31st day of July, 2021
at 11:42 a.m. / ~~p.m.~~ at Augusta, Georgia (location).



DANIEL J. CRAIG
Chief Judge, Superior Court of Burke County
Augusta Judicial Circuit

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Judicial Emergency Order was served via E-Mail on the date listed below and to the following entities and individuals:

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kmason@augustaga.gov

Augusta Bar Association
Steven Sanders, President
ssanders@fulcherlaw.com

State Bar of Georgia
Mercedes Ball, Director
mercedesb@gabar.org

In addition, a copy of this Order shall be posted in the Courthouse and any annex of the courthouse in a conspicuous location to allow for public viewing.

This 30 day of July, 2021



Katherine Larsen
Judicial Staff Attorney to
Honorable Daniel J. Craig

735 James Brown Blvd, Suite 4206
Augusta, GA 30901
Phone: 706-821-2835