

FILED IN OFFICE

August 30, 2021

Theresa A. Bame

SUPREME COURT OF GEORGIA

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

CLERK OF SUPERIOR, STATE
AND JUVENILE COURT
FILED FOR RECORD

2021 AUG 27 PM 4:30

EXTENSION OF THE JUDICIAL EMERGENCY ORDER

SADETA G. SMITH, CLERK
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
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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

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Augusta, GA 30901
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