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SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF MERCED

**GENERAL ORDER RE: IMPLEMENTATION OF EMERGENCY RELIEF
AUTHORIZED PURSUANT TO GOVERNMENT CODE SECTION 68115 BY CHAIR
OF JUDICIAL COUNCIL**

Exercising the authority granted under Government Code section 68115 and the January 10, 2023, Order (“Order”) of Chief Justice Patricia Guerrero, Chair of the Judicial Council of California, issued in response to the request for an emergency order made by the Superior Court of Merced County (“Court”) on this same date, this Court **HEREBY FINDS AND ORDERS AS FOLLOWS:**

1. The Court may hold sessions anywhere in the county, including in correctional and juvenile detention facilities, from January 10, 2023, to January 12, 2023, inclusive (Gov. Code, § 68115(a)(1));

2. For purposes of computing time for filing papers with the Court under Code of Civil Procedure sections 12 and 12a, January 10, 2023, to January 17, 2023, inclusive, are deemed holidays if the emergency conditions described in the Order have substantially interfered with the public’s ability to file papers in a court facility on those dates (Gov. Code, § 68115(a)(4));

3. For purposes of computing time under Penal Code section 825 and Welfare and Institutions Code sections 313, 315, 334, 631, 632, 637, and 657, January 10, 2023, to January 17, 2023, inclusive, are deemed holidays if the emergency conditions described in the Order prevent the court from conducting proceedings or accepting filings as necessary to satisfy these deadlines on those dates (Gov. Code, § 68115(a)(5));

4. Any judge of the Court may extend the time periods provided in sections 583.310 and 583.320 of the Code of Civil Procedure to bring an action to trial by not more than 7 days, applicable only to cases in which the statutory deadline otherwise would expire from January 10, 2023, to January 11, 2023, inclusive (Gov. Code, § 68115(a)(6));

5. Any judge of the Court may extend by not more than 14 days the duration of any temporary restraining order that would otherwise expire from January 10, 2023, to January 11,

1 2023, inclusive, because the emergency condition described herein prevented the court from
2 conducting proceedings to determine whether a permanent order should be entered (Gov. Code,
3 § 68115(a)(7));

4 6. Any judge of the Court may extend the time period provided in section 825 of the
5 Penal Code within which a defendant charged with a felony offense must be taken before a
6 magistrate from 48 hours to not more than 7 days, applicable only to cases in which the statutory
7 deadline otherwise would expire from January 10, 2023, to January 11, 2023, inclusive (Gov.
8 Code, § 68115(a)(8));

9 7. Any judge of the Court may extend the time period provided in section 859b of
10 the Penal Code for the holding of a preliminary examination from 10 court days to not more than
11 15 court days, applicable only to cases in which the statutory deadline otherwise would expire
12 from January 10, 2023, to January 11, 2023, inclusive (Gov. Code, § 68115(a)(9));

13 8. Any judge of the Court may extend the time period provided in section 1382 of
14 the Penal Code for the holding of a criminal trial by not more than 30 days, applicable only to
15 cases in which the statutory deadline otherwise would expire from January 10, 2023, to January
16 11, 2023, inclusive (Gov. Code, § 68115(a)(10));

17 9. Any judge of the Court may extend the time period provided in section 313 of the
18 Welfare and Institutions Code within which a minor taken into custody pending dependency
19 proceedings must be released from custody to not more than 7 days, applicable only to minors
20 for whom the statutory deadline otherwise would expire from January 10, 2023, to January 11,
21 2023, inclusive (Gov. Code, § 68115(a)(11));

22 10. Any judge of the Court may extend the time period provided in section 315 of the
23 Welfare and Institutions Code within which a minor taken into custody pending dependency
24 proceedings must be given a detention hearing to not more than 7 days, applicable only to minors
25 for whom the statutory deadline otherwise would expire from January 10, 2023, to January 11,
26 2023, inclusive (Gov. Code, § 68115(a)(11));

27 11. Any judge of the Court may extend the time periods provided in sections 632 and
28 637 of the Welfare and Institutions Code within which a minor taken into custody pending

1 wardship proceedings and charged with a felony offense must be given a detention hearing or
2 rehearing to not more than 7 days, applicable only to minors for whom the statutory deadline
3 otherwise would expire from January 10, 2023, to January 11, 2023, inclusive (Gov. Code,
4 § 68115(a)(11));

5 12. Any judge of the Court may extend the time period provided in section 334 of the
6 Welfare and Institutions Code within which a hearing on a juvenile dependency petition must be
7 held by not more than 7 days, applicable only to minors for whom the statutory deadline
8 otherwise would expire from January 10, 2023, to January 11, 2023, inclusive (Gov. Code,
9 § 68115(a)(12)); and

10 13. Any judge of the Court may extend the time period provided in section 657 of the
11 Welfare and Institutions Code within which a hearing on a wardship petition for a minor charged
12 with a felony offense must be held by not more than 7 days, applicable only to minors for whom
13 the statutory deadline otherwise would expire from January 10, 2023, to January 11, 2023,
14 inclusive (Gov. Code, § 68115(a)(12)).

15
16 THIS ORDER IS EFFECTIVE IMMEDIATELY.

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18 Dated: 01/10/2023

Mark V. Bacciarini

_____, Presiding Judge