

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 IN AND FOR THE COUNTY OF MERCED

3
4 GENERAL ORDER RE: IMPLEMENTATION OF EMERGENCY RELIEF
5 AUTHORIZED PURSUANT TO GOVERNMENT CODE SECTION 68115 BY
6 CHAIR OF JUDICIAL COUNCIL

7 #2021-01

8 On January 12, 2021, the Chief Justice of California and Chair of the
9 Judicial Council ruled as follows:

10 Because of the COVID-19 pandemic, leading to health and safety
11 concerns resulting in substantial operational impediments, and the
12 proclamations of states of emergency by federal, state, and local
13 officials, it was determined on ten prior occasions that the conditions
14 described in Government Code section 68115 were met with regard to
15 the Superior Court of California, County of Merced (Court). Based
16 on those determinations, and pursuant to the Court's requests,
17 corresponding prior emergency orders issued, authorizing the Court to
18 implement certain relief under Government Code section 68115.
19 Upon the renewed request of Presiding Judge Donald J. Proietti, it is
determined that the conditions described in Government Code section
68115(a) continue to exist (Gov. Code, § 68115(c)), and it is ordered
that the Court is authorized to do the following:

- 20 1. Extend the time periods provided in sections 583.310 and 583.320 of
21 the Code of Civil Procedure to bring an action to trial by not more
22 than 30 days, applicable only to cases in which the deadline
23 otherwise would expire from March 1, 2021 to March 31, 2021,
24 inclusive (Gov. Code, § 68115(a)(6)); and
25 2. Extend the time period provided in section 1382 of the Penal Code
26 (section 1382) for the holding of a criminal trial by not more than 30
27 days, applicable only to cases in which the original or previously
28 extended statutory deadline otherwise would expire from January 16,
2021 to February 15, 2021, inclusive. (Gov. Code, § 68115(a)(10);
Executive Order N-38-20 (03-27-20)).

1 This authority supplements the authority to extend section 1382
2 deadlines previously granted in statewide emergency orders and
3 emergency orders specific to the Court. Accordingly, for any case in
4 which the time to bring a defendant to trial previously was extended
5 under one or more of those prior emergency orders, and the extended
6 deadline falls within the above-specified time period, this order
7 authorizes the Court to extend the previously extended deadline by up
8 to an additional 30 days. For any case in which the initial section
9 1382 deadline falls within the above-specified time period and is not
10 governed by a prior emergency order, this order authorizes the Court
11 to extend the time to bring a defendant to trial by a total of up to 30
12 days.

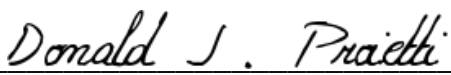
13 Accordingly, the Presiding Judge of the Merced Superior Court, hereby
14 orders as follows:

15 The Judges of the Merced Superior Court are hereby authorized to:

- 16 1. Extend the time periods provided in sections 583.310 and 583.320
17 of the Code of Civil Procedure to bring an action to trial by not
18 more than 30 days, applicable only to cases in which the deadline
19 otherwise would expire from March 1, 2021 to March 31, 2021,
20 inclusive (Gov. Code, § 68115(a)(6)); and
- 21 2. Extend the time period provided in section 1382 of the Penal Code
22 (section 1382) for the holding of a criminal trial by not more than
23 30 days, applicable only to cases in which the original or
24 previously extended statutory deadline otherwise would expire
25 from January 16, 2021 to February 15, 2021, inclusive. (Gov.
26 Code, § 68115(a)(10); Executive Order N-38-20 (03-27-20)).

27 THIS ORDER IS EFFECTIVE IMMEDIATELY.

28 Dated: January 13, 2021



Hon. Donald J. Proietti, Presiding Judge