

VIRGINIA: IN THE CIRCUIT COURT OF AMHERST COUNTY

EXTENSION OF TEMPORARY EMERGENCY ORDER FOR SUSPENSIONS OF JURY TRIALS FROM APRIL 15, 2021 THROUGH MAY 15, 2021

UPON CONSIDERATION THE COURT FINDS THAT:

- 1) By order entered April 12, 2021, the Virginia Supreme Court's Declared State of Judicial Emergency was extended to at least May 9, 2021 (Twentieth Order Extending Declaration of Judicial Emergency in Response to COVID-19 Emergency);
- 2) The Amherst County Circuit Court Jury Trial Preparedness Plan was approved by letter dated December 11, 2020 from Chief Justice Donald W. Lemons;
- 3) By previous orders this court suspended jury trials from December 16, 2020 through April 15, 2021.
- 4) Updated public health information shows a significant incidence of COVID-19 infections within the 24th Judicial Circuit;
- 5) On April 13, 2021, Amherst County had the highest number of new cases ever reported for this county in a single day (19 new cases) since February 11, 2021 (36 new cases).
- 6) The Amherst County community still is experiencing a significant number of new cases.
- 7) The Amherst County court system has experienced numerous delays and continuances due to positive COVID-19 tests in members of the local bar, employees of the courts, law enforcement and the population of the Amherst Adult Detention Center. A trial scheduled for three (3) days in April, 2021 had to be continued due to an attorney being in close proximity to two (2) persons testing positive for COVID-19 within less than twenty-four (24) hours of his exposure.
- 8) Due to the large number of persons required for jury selection and the number of jurors required for a jury trial, the court finds that to conduct a jury trial under present

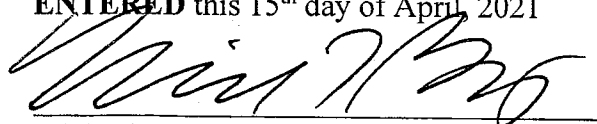
conditions would pose a substantial health risk to participants in the trial, those working in the courthouse and the general public.

- 9) The court finds based upon the foregoing, that the current public health crisis constitutes a natural disaster under Code of Virginia § 19.2-243(7).

IT IS THEREFORE FURTHER ORDERED AS FOLLOWS:

- (A) All jury trials are suspended from April 15, 2021 through May 15, 2021.
- (B) The suspension of jury trials through May 15, 2021 is a result of a natural disaster pursuant to Va. Code § 19.2-243(7).
- (C) As provided in the Virginia Supreme Court's Twentieth Order extending Declaration of Judicial Emergency in Response to COVID-19 Emergency entered April 12, 2020, deadlines imposed by the Speedy Trial Act, Va. Code § 19.2-243, are tolled during the Judicial Emergency now extended through May 9, 2021 and subject to further extensions thereof by order of that court.
- (D) For any jury trials previously scheduled from April 15, 2021 through May 15, 2021 and suspended by this order, the clerk is directed to place a copy of this order in the case file and send a copy of to counsel of record.

ENTERED this 15th day of April, 2021

A handwritten signature in black ink, appearing to read "Michael T. Garrett", written over a horizontal line.

Michael T. Garrett, Presiding Judge
and Chief Judge of the 24th Judicial Circuit