

VIRGINIA: IN THE CIRCUIT COURT OF AMHERST COUNTY

**EXTENSION OF TEMPORARY EMERGENCY ORDER FOR SUSPENSIONS OF  
JURY TRIALS FROM SEPTEMBER 15, 2021 THROUGH SEPTEMBER 30, 2021**

**UPON CONSIDERATION THE COURT FINDS THAT:**

- 1) By order entered by the Supreme Court of Virginia August 25, 2021, The Declared State of Judicial Emergency was extended to at least September 22, 2021 (Twenty-Seventh 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 May 14, 2021, whereupon based upon improved conditions, this court entered an order resuming jury trials beginning May 16, 2021;
- 4) The Virginia Supreme Court by directive issued August 13, 2021 declared that all oral arguments scheduled before the Supreme Court of Virginia for the September 2021 Session would be conducted remotely due to the ongoing pandemic and Judicial Emergency;
- 5) Updated public health information now shows a significant incidence of COVID-19 infections within Virginia and the 24<sup>th</sup> Judicial Circuit;
- 6) The Amherst County community have recently experienced some of the highest number of new cases reported since this pandemic began;
- 7) The local hospital now reports that one-third (1/3) of the hospital beds are occupied by persons with COVID-19;

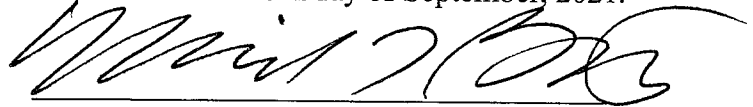
- 8) The Amherst County court system has experienced numerous delays and continuances due to positive COVID-19 tests in members of the local bar, employees of the courts, law enforcement and the population of the Amherst Adult Detention Center. A jury trial scheduled for five (5) days in August, 2021 had to be continued due to the lead attorney and main witness being in quarantine due to testing positive for COVID-19;
- 9) 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;
- 10) 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); and

**IT IS THEREFORE FURTHER ORDERED AS FOLLOWS:**

- (A) All jury trials are suspended from September 15, 2021 through September 30, 2021.
- (B) The suspension of jury trials beginning September 15, 2021 through September 30, 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 Twenty-Seventh Order extending Declaration of Judicial Emergency in Response to COVID-19 Emergency entered August 25, 2021 deadlines imposed by the Speedy Trial Act, Va. Code § 19.2-243, are tolled during the Judicial Emergency and the suspension of jury trials by Order of this court extending through September 30, 2021 and subject to further extensions thereof;

- (D) Any jury trials previously scheduled from September 15, 2021 through September 30, 2021 are suspended by this order and the clerk is directed to place a copy of this order in the case file and send a copy to counsel of record.
- (E) The court will re-examine the conditions on or after September 30, 2021 to determine if, and when, jury trials can safely resume.

ENTERED this 15th day of September, 2021.



**MICHAEL T. GARRETT**, Presiding Judge  
and Chief Judge of the 24<sup>th</sup> Judicial Circuit

A Copy, Teste:

Deborah Coffey Mazingo, Clerk

By: 

Deputy Clerk

Circuit Court Amherst County, VA