

VIRGINIA: IN THE CIRCUIT COURT OF AMHERST COUNTY

TEMPORARY EMERGENCY ORDER FOR SUSPENSIONS OF JURY TRIALS

UPON CONSIDERATION THE COURT FINDS THAT:

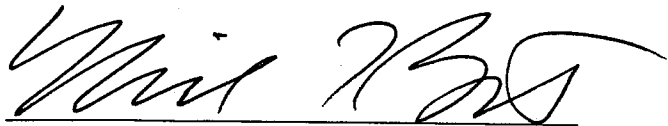
- 1) By order entered January 19, 2021, the Virginia Supreme Court's Declared State of Judicial Emergency was extended to at least February 14, 2021 (Sixteenth order extending Declaration of Judicial Emergency in response to COVID-19 Emergency);
- 2) The Amherst County Circuit Court Jury Trial Preparedness plan was approved by letter dated December 11, 2020 from Chief Justice Donald W. Lemons;
- 3) The Executive order, Number Seventy-two (2020) and order of public health emergency nine has been issued by the Governor of Virginia on December 10, 2020, placing additional surge restrictions on the citizens of Virginia;
- 4) Virginia is experiencing increases in new COVID-19 cases, positive tests, and hospitalizations. Virginia Department of Health reports that January 10, 2021 marked the fifth consecutive day in which newly reported cases topped 5,000, up from a statewide peak of approximately 1,200 in May. As of January 25, 2021, the newly reported cases reached 6,172;
- 5) Updated public health information shows a significant increase in the incidence of COVID-19 infections within the 24<sup>th</sup> Judicial Circuit;
- 6) In January 2021, Amherst County had the highest number of new cases ever reported for this county in a single day.

- 7) The Amherst County community works and interacts with persons throughout the 24<sup>th</sup> Judicial Circuit and as such is subject to increased exposure to COVID-19 over the coming weeks; and
- 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) Effective immediately all jury trials are suspended through February 28, 2021.
- (B) The suspension of jury trials through February 28, 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 Clarification Order entered May 1, 2020 and the extension order of January 19, 2021, deadlines imposed by the Speedy Trial Act, Va. Code § 19.2-243, are tolled during the Judicial Emergency now extended through February 14, 2021 and subject to further extensions thereof by order of that court.

Entered this 25<sup>th</sup> day of January, 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: Deborah Coffey Mazingo  
Deputy Clerk

Circuit Court Amherst County, VA