

VIRGINIA: IN THE CIRCUIT COURT OF AMHERST COUNTY

EXTENSION OF TEMPORARY EMERGENCY ORDER FOR SUSPENSIONS OF JURY TRIALS FROM MARCH 1, 2021 THROUGH APRIL 15, 2021

UPON CONSIDERATION THE COURT FINDS THAT:

- 1) By order entered February 8, 2021, the Virginia Supreme Court's Declared State of Judicial Emergency was extended to at least March 7, 2021 (Seventeenth 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 Department of Health reported 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. Virginia is still experiencing significant new COVID-19 cases, hospitalizations and deaths.
- 5) By previous orders this court suspended jury trials through February 28, 2021.
- 6) Updated public health information shows a significant incidence of COVID-19 infections within the 24th Judicial Circuit;
- 7) In January 2021, Amherst County had the highest number of new cases ever reported for this county in a single day.
- 8) The Amherst County community still is experiencing a significant number of new cases.
- 9) 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

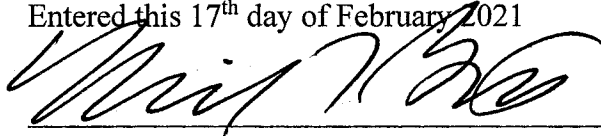
enforcement and the population of the Amherst Adult Detention Center. On February 4, 2021 the Amherst Circuit Court and the Amherst Circuit Court Clerk's Office had to be closed due to a COVID-19 exposure.

- 10) 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.
- 11) 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 March 1, 2021 through April 15, 2021.
- (B) The suspension of jury trials through April 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 Clarification Order entered May 1, 2020 and the extension order of February 8, 2021, deadlines imposed by the Speedy Trial Act, Va. Code § 19.2-243, are tolled during the Judicial Emergency now extended through March 7, 2021 and subject to further extensions thereof by order of that court.
- (D) For any jury trials previously scheduled from March 1, 2021 through April 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 17th day of February 2021



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