

THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LASSEN

GENERAL ORDER

2020-06

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APR 01 2020

Order of the Presiding Judge

Clerk of the Superior Court
County of Lassen
By [Signature], Deputy Clerk

The World Health Organization, the United States Centers for Disease Control and Prevention (CDC), and the State of California have recognized that the world, country, and state face a life-threatening pandemic caused by the COVID-19 virus. This week it was reported that there have been more than 500,000 confirmed cases of COVID-19 in the world with more than 23,000 deaths. In California, the Department of Public Health reports more than 5,000 confirmed cases and more than 100 deaths. Health officials expect these figures to rise dramatically unless the population adheres to shelter-in-place guidelines and appropriate social distancing. As of this date, there is no known cure or vaccination.

In response to the spread of COVID-19, Governor Newsom on March 4, 2020, declared a state of emergency in California, which was followed on March 13, 2020, by President Trump declaring a national emergency. Beginning on March 16, 2020, California counties began issuing shelter-in-place or stay-at-home orders. On March 19, 2020, Governor Newsom issued Executive Order N-33-20, requiring all Californians to stay home, subject to certain limited exemptions. Courts are included in this exemption.

The CDC, the California Department of Public Health, and local county health departments have recommended increasingly stringent social distancing measures of at least six feet between people, and encouraged vulnerable individuals to avoid public spaces. The continuous operation of our courts is essential for our constitutional form of government, for providing due process and protecting the public. However, courts are clearly places with high risks during this pandemic because they require gatherings of judicial officers, court staff, litigants, attorneys, witnesses, defendants, law enforcement, and juries—well in excess of the numbers allowed for gathering under current executive and health orders.

In furtherance of the public health crisis currently affecting our state, local, national, and international communities, Center Disease Control limit on public gatherings, government directives on social distancing and stay at home order, public health concerns associated with the spread of the COVID-19 virus, California Governor Gavin Newsom's

Executive Order N-33-20, President Trump declaring a national emergency and the size of Lassen Superior Courthouse and courtrooms, the Lassen County Superior Court will be further limiting access to the courthouse effective immediately.

All provisions of General Orders 2020-01; 2020-02; 2020-03; 2020-04; and 2020-05 remain in full force and effect unless specifically amended by this General Order.

These orders are, intended to address the current COVID-19 crisis as it poses a challenge to court proceedings. The Court reserve the authority to rescind or modify these orders, as appropriate, to address changing circumstances.

General Matters

A. Statewide Emergency Orders Issued March 30, 2020, By Hon. Tani G. Cantil-Sakauye, Chief Justice of California.

The following orders are adopted and implemented pursuant to the Chief Justice's order executed on March 30, 2020. These orders shall:

1. Extend the time period provided in section 859b of the Penal Code for the holding of a preliminary examination and the defendant's right to release from 10 court days to not more than 30 court days;
2. Extend the time period provided in section 825 of the Penal Code within which a defendant charged with a felony offense must be taken before a magistrate from 48 hours to not more than seven days;
3. Extend the time period provided in section 1382 of the Penal Code for the holding of a criminal trial by no more than 60 days from the last date on which the statutory deadline otherwise would have expired;
4. Extend the time periods provided in sections 583.310 and 583.320 of the Code of Civil Procedure to bring an action to trial by no more than 60 days from the last date on which the statutory deadline otherwise would have expired;
5. These extensions are in addition to any relief provided pursuant to a court-specific emergency order issued under a subdivision of Government Code section 68115 related to another extension or form of relief.

The 60-day continuance of jury trials, authorized by the Chief Justice's order of March 23, 2020, is to be calculated from the date for which the trial was set or extended as provided in A.3 or A.4 above, whichever is longer; and

The Court shall utilize available technology, when possible, to conduct judicial proceedings and court operations remotely in order to protect the health and safety of the public, court personnel, judicial officers, litigants, and witnesses. This is consistent with the Governor's order, which also provides for the suspension of related statutes that impose limitations on the subject of the Chief Justice's emergency orders.

Criminal Matters:

A. Orders To Appear — General Orders — Department One

1. The following misdemeanor matters will continue to be heard on Monday, April 13, 2020 at 1:30 p.m.

Cristobal Roman-Castanon	CR037786
Robert Hardy Lasley	CR033204 and CR037766
James Niles Van Zette Potter	CR037556

2. All misdemeanor and felony case scheduled for Tuesday April 14, 2020 will continue to be heard on said date and time.

3. The following cases are reset to Wednesday, May 13, 2020 at 8:30 a.m.

Correy Leeroy Schuler	CR037831
Frank Edward Vierra	CR037283
Eric Anthony Slye	CR037661
Dianna Caprice Beterbide	CR037590

4. Effective immediately, misdemeanor and infraction cases scheduled for the Monday 8:00 a.m. arraignment calendar and Monday 1:00 p.m. Law and Motion calendar set between April 1, 2020 and May 1, 2020 will be reset for exactly 35 days after the scheduled appearance at the same time in the same courtroom. Should the 35th day fall during a trial week, the matter will be re-set for exactly 42 days after the scheduled appearance. Should any defendant appear on a Monday to be added onto the Add-On-Calendar, defendants matter shall be continued as stated above by the clerk and the

clerk shall have the defendant sign a Release Agreement regarding notice to appear pursuant to Penal Code §1320.

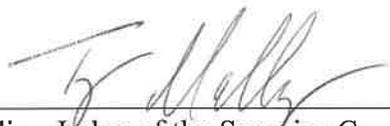
5. Effective immediately, misdemeanor and felony cases scheduled for the Law and Motion calendar on Tuesday, April 27, 2020 at 8:30 a.m. will be reset for exactly 35 days after the scheduled appearance at the same time in the same courtroom. Should the 35th day fall during a trial week, the matter will be re-set for exactly 42 days after the scheduled appearance.
6. All remaining misdemeanor and felony cases presently scheduled for Wednesday, April 15, 2020 and Wednesday, April 29, 2020 which are not reset by this order, shall continue to be heard as scheduled.
7. In a temporarily suspended matter with a new date reset by this orderp, if a party objects to the continuance as compromising his/her constitutional right to have a timely hearing, that party shall promptly notice the court in writing of their objection with supporting case law and provide a requested date on which to have a hearing. If good cause is shown in the moving papers, a hearing will be timely scheduled.

B. Arraignments – In-Custody

1. Beginning April 6, 2020 and until further notice of the court, all in-custody arraignments will be held at 1:00 p.m. on Monday and Friday of each week. Wednesday arraignments are temporarily suspended. Defendants held in custody will not be transported to the courthouse unless required by statute. Defendants shall appear by video.

IT IS SO ORDERED.

Dated: April 1, 2020



Presiding Judge of the Superior Court of Lassen