

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 IN AND FOR THE COUNTY OF MERCED
3

4 GENERAL ORDER RE: IMPLEMENTATION OF EMERGENCY RELIEF
5 AUTHORIZED PURSUANT TO GOVERNMENT CODE SECTION 68115 BY
6 CHAIR OF JUDICIAL COUNCIL

7 #2020-09

8 On March 23, 2020, the Judicial Council issued a Statewide Order by Hon.
9 Tani G. Cantil-Sakauye, Chief Justice of California and Chair of the Judicial
10 Council which provided, in part, “The time period provided in Penal Code section
11 1382 for the holding of a criminal trial is extended for a period of sixty (60) days
12 from the date of this order.” On April 1, 2020, this Court issued General Order
13 2020-04 which, among other things provided: “That the time period provided in
14 section 1382 of the Penal Code for the holding of a criminal trial is extended by
15 not more than 60 days from the last date on which the statutory deadline otherwise
16 would have expired.” That order was filed by this Court on April 2, 2020.

17 On April 29, 2020, the Judicial Council issued a Statewide Order by Hon.
18 Tani G. Cantil-Sakauye, Chief Justice of California and Chair of the Judicial
19 Council which provided, in part,

- 20 1. The 60-day continuance of criminal jury trials and the 60-day extension of
21 time in which to conduct a criminal trial under Penal Code section 1382,
22 both of which I first authorized in my order of March 23, 2020, are to be
23 extended an additional 30 days. The total extension of 90 days shall be
24 calculated from the last date on which the trial initially could have been
25 conducted under Penal Code section 1382 as illustrated below.
- 26 2. This extension applies only to those matters for which the last date on which
27 the trial could be conducted under Penal Code section 1382 occurred or will
28 occur between March 16, 2020 and June 15, 2020. This will result in a

1 range of trial dates as follows: A criminal trial for which March 16, 2020, is
2 the last day a trial could be conducted under Penal Code section 1382 would
3 be extended to June 14, 2020, and a criminal trial for which June 15, 2020, is
4 the last day a trial could be conducted under Penal Code section 1382 would
5 be extended until September 13, 2020.

- 6 3. Any previously issued extensions of time in which to conduct a criminal trial
7 under Penal Code section 1382 that I authorized in an emergency order or
8 orders issued to an individual court pursuant Government Code section
9 68115(a)(10) shall run concurrently with the extension authorized in this
10 paragraph, such that the total authorized extension of the section 1382
11 deadlines in a case is 90 days.

12 Accordingly, this Court's General Order 2020-04 issued April 1, 2020 and filed
13 on April 2, 2020 is modified to provide as follows:

- 14 1. The 60-day continuance of criminal jury trials and the 60-day extension of
15 time in which to conduct a criminal trial under Penal Code section 1382,
16 provided by General Order 2020-04 issued on April 1, 2020 and filed on
17 April 2, 2020 is extended an additional 30 days. The total extension of 90
18 days shall be calculated from the last date on which the trial initially could
19 have been conducted under Penal Code section 1382.
- 20 2. This extension applies only to those matters for which the last date on which
21 the trial could be conducted under Penal Code section 1382 occurred or will
22 occur between March 16, 2020 and June 15, 2020. This will result in a
23 range of trial dates as follows: A criminal trial for which March 16, 2020, is
24 the last day a trial could be conducted under Penal Code section 1382 would
25 be extended to June 14, 2020, and a criminal trial for which June 15, 2020, is
26 the last day a trial could be conducted under Penal Code section 1382 would
27 be extended until September 13, 2020.

1 THIS ORDER IS EFFECTIVE IMMEDIATELY.
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3 Dated: April 30, 2020
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5 Donald J. Proietti
6 Hon. Donald J. Proietti, Presiding Judge
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