

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 #2020-16

8 On September 3, 2020, the Chief Justice of California and Chair of the
9 Judicial Council determined that the conditions described in Government Code
10 section 68115(a) continue to exist in the County of Merced pursuant to
11 Government code 68115(b) and that the Merced Superior Court is authorized to do
12 the following:

13 Extend the time period provided in section 1382 of the Penal Code (section
14 1382) for the holding of a criminal trial by not more than 30 days, applicable
15 only to cases in which the original or previously extended statutory deadline
16 otherwise would expire from September 16, 2020, to October 15, 2020,
inclusive (Gov. Code, § 68115(a)(10); Executive Order N-38-20 (03-27-20))

17
18 This authority supplements the authority to extend section 1382 deadlines
19 previously granted in the March 23, March 30, and April 29, 2020 statewide
20 emergency orders and in the May 19, June 11, and July 29, 2020 emergency
21 orders specific to the Court. Accordingly, for any case in which the time to
22 bring a defendant to trial previously was extended under one or more of
23 those prior emergency orders, and the extended deadline falls within the
24 above-specified time period, this order authorizes the Court to extend the
25 previously extended deadline by up to an additional 30 days. For any case in
26 which the initial section 1382 deadline falls within the above-specified time
27 period and is not governed by a prior emergency order, this order authorizes
28 the Court to extend the time to bring a defendant to trial by a total of up to
30 days.

27 Accordingly, the Presiding Judge of the Merced Superior Court authorizes
28 the judicial officers of the Merced superior Court to:

1 Extend the time period provided in section 1382 of the Penal Code (section
2 1382) for the holding of a criminal trial by not more than 30 days, applicable
3 only to cases in which the original or previously extended statutory deadline
4 otherwise would expire from September 16, 2020, to October 15, 2020,
5 inclusive (Gov. Code, § 68115(a)(10); Executive Order N-38-20 (03-27-20))

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14 which the initial section 1382 deadline falls within the above-specified time
15 period and is not governed by a prior emergency order, this order authorizes
16 the Court to extend the time to bring a defendant to trial by a total of up to
17 30 days.

18 THIS ORDER IS EFFECTIVE IMMEDIATELY.

19 Dated: September 3, 2020

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Hon. Donald J. Proietti, Presiding Judge