

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 #2022-03

8 On February 14, 2022, the Chief Justice of California and Chair of the
9 Judicial Council ruled as follows:

10 Because of the COVID-19 pandemic, leading to health and safety
11 concerns resulting in substantial operational impediments, and the
12 proclamations of states of emergency by federal, state, and local
13 officials, it was determined on 23 prior occasions that the conditions
14 described in Government Code section 68115(a) were met with regard
15 to the Superior Court of California, County of Merced (Court). Based
16 on those determinations, and pursuant to the Court's requests,
17 corresponding prior emergency orders issued, authorizing the Court to
18 implement certain relief under Government Code section 68115.
19 Upon the renewed request of Presiding Judge Mark V. Bacciarini, it is
20 now determined that the conditions described in Government Code
21 section 68115(a) continue to exist (Gov. Code, § 68115(c)), and it is
22 ordered that the Court is authorized to do the following:

- 23 • Extend the time periods provided in sections 583.310 and
24 583.320 of the Code of Civil Procedure to bring an action to
25 trial by not more than 30 days, applicable only to cases in
26 which the deadline otherwise would expire from April 1, 2022
27 to April 30, 2022, inclusive (Gov. Code, § 68115(a)(6)); and
- 28 • Extend the time period provided in section 1382 of the Penal
Code (section 1382) for the holding of a criminal trial by not
more than 30 days, applicable only to cases in which the
original or previously extended statutory deadline otherwise
would expire from February 16, 2022 to March 15, 2022,
inclusive. (Gov. Code, § 68115(a)(10); Executive Order N-38-
20 (03-27-20)).

1 This authority supplements the authority to extend section 1382
2 deadlines previously granted in statewide emergency orders and
3 emergency orders specific to the Court. Accordingly, for any case in
4 which the time to bring a defendant to trial previously was extended
5 under one or more of those prior emergency orders, and the extended
6 deadline falls within the above-specified time period, this order
7 authorizes the Court to extend the previously extended deadline by up
8 to an additional 30 days. For any case in which the initial section
9 1382 deadline falls within the above-specified time period and is not
governed by a prior emergency order, this order authorizes the Court
to extend the time to bring a defendant to trial by a total of up to 30
days.

10 Accordingly, the Presiding Judge of the Merced Superior Court, hereby
11 orders as follows:

12 The Judges of the Merced Superior Court are hereby authorized to:

- 13 1. Extend the time periods provided in sections 583.310 and 583.320 of
14 the Code of Civil Procedure to bring an action to trial by not more
15 than 30 days, applicable only to cases in which the deadline otherwise
16 would expire from April 1, 2022 to April 30, 2022, inclusive (Gov.
17 Code, § 68115(a)(6)); and
- 18 2. Extend the time period provided in section 1382 of the Penal Code
19 (section 1382) for the holding of a criminal trial by not more than 30
20 days, applicable only to cases in which the original or previously
21 extended statutory deadline otherwise would expire from February 16,
22 2022 to March 15, 2022, inclusive. (Gov. Code, § 68115(a)(10);
Executive Order N-38-20 (03-27-20)).

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24 deadlines previously granted in statewide emergency orders and
25 emergency orders specific to the Court. Accordingly, for any case in
26 which the time to bring a defendant to trial previously was extended
27 under one or more of those prior emergency orders, and the extended
28 deadline falls within the above-specified time period, this order
authorizes the Court to extend the previously extended deadline by up
to an additional 30 days. For any case in which the initial section

1 1382 deadline falls within the above-specified time period and is not
2 governed by a prior emergency order, this order authorizes the Court
3 to extend the time to bring a defendant to trial by a total of up to 30
4 days.

5 THIS ORDER IS EFFECTIVE IMMEDIATELY.

6 Dated: February 14, 2022

7 *Mark V. Bacciarini*

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9

Hon. Mark V. Bacciarini, Presiding Judge