

20R59

STATE OF NORTH CAROLINA  
COUNTIES OF RUTHERFORD  
AND MCDOWELL

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
JUDICIAL DISTRICT 29A

FILED

ADMINISTRATIVE ORDER FOR SUPERIOR COURT IN 2020 MAR 13 P 1:55  
RUTHERFORD AND MCDOWELL COUNTIES RUTHERFORD COUNTY, C.S.C.

BY BM

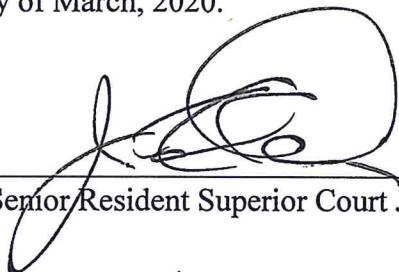
IN ORDER TO IMPLEMENT THE ORDER OF THE CHIEF JUSTICE OF THE NORTH CAROLINA SUPREME COURT THE FOLLOWING PROCEDURES WILL BE IMPLEMENTED FOR CRIMINAL AND CIVIL SUPERIOR COURT THROUGH APRIL 17, 2020. A SEPARATE ORDER WILL BE ISSUED BY THE CHIEF DISTRICT COURT JUDGE FOR CRIMINAL AND CIVIL DISTRICT COURT.

1. No Jurys will be available for criminal or civil trials for any term of Superior Court until after April 17, 2020.
2. All parties and victims to any case will be automatically entitled to a continuance from any criminal or civil Superior Court session and no individual will be called and failed or cases dismissed as a result of civil parties, criminal defendants, or victims failing to attend Superior Court through April 17, 2020. Criminal defendants and others after Tuesday March 17, 2020 should contact the Clerk of Court for the County in which the case is pending for new Court dates, or other directions to obtain their new Court dates. New civil trial dates for McDowell and Rutherford Counties may be obtained by contacting the Superior Court Judicial Assistant in Rutherford County.
3. Superior Court will be in session in McDowell County Monday, March 16, 2020 and Rutherford County Wednesday, March 18, 2020 for probation and administrative matters and to dispose of first appearances where defendants are available, and to dispose of any other matters or motions that may be disposed of voluntarily by the attorneys, defendants, and the State. Probation officers are expected to be available by phone or otherwise for the disposition of their scheduled cases on the foregoing days, and should make their contact information available to the District Attorney's Office or appear in Court.
4. Each scheduled session of civil and criminal Superior Court through April 17, 2020 shall be opened on the first day of each term for the disposition of criminal and civil matters as scheduled on the Master Calendar and shall continue from day to day as needed in the discretion of the presiding Superior Court Judge for the disposition of first appearances, and matters that may be heard voluntarily by the parties, attorneys, and the State provided the presiding Judge determines that the proceeding can be conducted under conditions that protect the health and safety of all participants.

5. The Senior Resident Superior Court Judge or any other presiding Superior Court Judge may in his or her discretion alter or amend the terms of this administrative order for any particular case or matter as justice may require, or to protect and balance any Constitutional rights.

6. This order shall be effective until and terminate at 5 pm, April 17, 2020.

This the 13<sup>th</sup> day of March, 2020.



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Senior Resident Superior Court Judge