

APR 13 2020

By: **C. McCoy**

THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

**IN RE: SEARCH WARRANT NOTICE
EXTENSION ELECTRONIC
COMMUNICATIONS SEARCH**

**GENERAL ORDER OF THE
PRESIDING DEPARTMENT
ORDER NO. 041320-43**

The COVID-19 pandemic continues to create significant health and safety concerns nationally, throughout the state, and in San Diego County. Due to the growing severity of the pandemic, on March 19, 2020, Governor Newsom issued Executive Order N-33-20 which, amongst other things, requires individuals to stay at home or at their place of residence with certain specified exemptions. Effective April 10, 2020, the County of San Diego Health and Human Services Agency issued an amended order prohibiting gatherings of any size, with certain specified exceptions.

For Good Cause, and pursuant to the authority set forth in this Court's General Order of the Presiding Department, *IN RE: Second Implementation Order of the Presiding Judge Re: Covid-19 Pandemic*, Order No. 040320-39, including but not limited to this Court's inherent authority to control its own calendars, and the Presiding Judge's duty to take into account the needs of the public and Court as they relate to the efficient and effective management of the Court (Cal. Rules of Court, rule 10.603), this Court **HEREBY FINDS AND ORDERS AS FOLLOWS:**

1 For all warrants issued by this Court in which the notice requirement set forth in 18 U.S.C.
2 § 2703(b) or California Penal Code § 1546.2(a) is set to expire from April 13, 2020, to May 29,
3 2020, inclusive, compliance with the notice requirement is hereby extended for a period of ninety
4 (90) days from the statutory deadline for providing such notice.

5 Accordingly, with regard to the above-described existing warrants, law enforcement
6 officer(s) who executed the warrant and the electronic communications service provider shall not
7 be required to provide notice of the warrant's execution pursuant to Penal Code section 1546.2(a)
8 and/or 18 U.S.C. § 2703(b) until one of the following circumstances exists: (1) the passage of the
9 extended 90-day period provided by this General Order; or (2) there is sufficient reason to believe
10 that none of the following adverse results will occur if notice is provided: (i) danger to the life or
11 physical safety of an individual; (ii) flight from prosecution; (iii) tampering or destruction of
12 evidence; (iv) intimidation of a potential witness; and/or (v) notice would seriously jeopardize an
13 investigation or unduly delay a trial.

14 **THIS ORDER IS EFFECTIVE IMMEDIATELY AND WILL REMAIN IN EFFECT**
15 **UNTIL OTHERWISE ORDERED BY THE PRESIDING JUDGE.**

16 **IT IS SO ORDERED.**

17
18 DATED: April 13, 2020


19 **HON. LORNA A. ALKSNE**
20 **PRESIDING JUDGE**