

DEC 27 2021

By: A. Husted, Deputy

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
CENTRAL DIVISION

**IN RE: EXTENSION OF TIME TO HOLD
PRELIMINARY HEARINGS**

**GENERAL ORDER OF THE PRESIDING
DEPARTMENT**

ORDER NO. 010122-40

The COVID-19 pandemic has resulted in proclamations of states of emergency by federal, state, and local officials. The associated health and safety concerns, along with the County of San Diego public health orders, have caused substantial operational impediments for the court.

On March 30, 2020, the Chief Justice issued a Statewide Order granting emergency powers to all superior courts pursuant to her authority under the California Constitution, article VI, section 6, and Government Code § 68115 (“March 30, 2020 Statewide Order”). Among other things, this order authorized superior courts to issue implementation orders that extend the time period provided in Penal Code § 859b for the holding of a preliminary examination and the defendant’s right to release from 10 court days to not more than 30 court days.

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1 Pursuant to the March 30, 2020, Statewide Order, this Court **HEREBY FINDS AND**
2 **ORDERS AS FOLLOWS:**

3 The Court extends the time period provided in Penal Code § 859b for the holding of a
4 preliminary examination from ten (10) court days to not more than thirty (30) court days, applicable
5 only to cases in which the statutory deadline otherwise would expire from January 1, 2022, to
6 January 31, 2022, inclusive.

7 This Order shall become effective on January 1, 2022 and will remain in effect until
8 otherwise ordered by the Presiding Judge.

9 IT IS SO ORDERED.

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11 DATED: December 27, 2021

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13 **HONORABLE MICHAEL T. SMYTH**
14 **PRESIDING JUDGE**
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