

MAY 14 2020

By: A. Fletes

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

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

**GENERAL ORDER OF THE
PRESIDING DEPARTMENT**

ORDER NO. 051420-53

The COVID-19 pandemic continues to cause significant health and safety concerns nationally, throughout the State of California, and in San Diego County. As a result, the court has been closed to the public and has suspended its services, except for certain time-sensitive and essential functions, since March 17, 2020.

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 extended the time period provided in Penal Code § 859b for the holding of a preliminary examination and the defendant’s right to release; and (ii) extended the time period provided in Penal Code § 825 within which a defendant charged with a felony offense must be taken before a magistrate.

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

- 3 1. The Court extends the time period provided in Penal Code § 825 within which a
4 defendant charged with a felony offense must be taken before a magistrate from forty-
5 eight (48) hours to not more than seven (7) court days, applicable only to cases in which
6 the statutory deadline otherwise would expire from May 23, 2020, to June 30, 2020,
7 inclusive.
- 8 2. The Court extends the time period provided in Penal Code § 859b for the holding of a
9 preliminary examination from ten (10) court days to not more than thirty (30) court
10 days, applicable only to cases in which the statutory deadline otherwise would expire
11 from May 23, 2020, to June 30, 2020, inclusive.

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13 **THIS ORDER IS EFFECTIVE IMMEDIATELY AND MAY BE AMENDED AS**
14 **CIRCUMSTANCES REQUIRE.**

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17 DATED: May 14, 2020



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