

F I L E D
Clerk of the Superior Court

JUL 15 2021

By: A. Husted, Deputy

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

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

**GENERAL ORDER OF THE
PRESIDING DEPARTMENT**

ORDER NO. 071521-79

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
5 days, applicable only to cases in which the statutory deadline otherwise would expire
6 from August 1, 2021, to August 31, 2021, inclusive.
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8 **THIS ORDER IS EFFECTIVE IMMEDIATELY AND MAY BE AMENDED AS**
9 **CIRCUMSTANCES REQUIRE.**

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12 DATED: July 15, 2021

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14 **HONORABLE MICHAEL T. SMYTH**
15 **ACTING PRESIDING JUDGE**