

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

COUNTY OF ALAMANCE

DISTRICT COURT

FILED
2020 MAY 19 P 3:43

ALAMANCE CO., C.S.C. ADMINISTRATIVE ORDER

BY TM

IN RE: FAILURE TO APPEAR ISSUED 12/1/2019 – 5/31/2020

The undersigned Chief District Court Judge of Judicial District 15A enters this Administrative Order pursuant to Governor Roy Cooper declaring a statewide emergency and Chief Justice Cheri Beasley's Administrative Orders in response to the Coronavirus COVID-19.

IT APPEARING TO THE COURT that on March 13, 2020, Governor Roy Cooper declared a state of emergency and recognized that the North Carolina Department of Health and Human Services recommends that people at high risk of severe illness from COVID-19 "avoid large groups of people as much as possible" and further recognized that the "people at high risk of severe illness" are "adults over 65 years, those with underlying health conditions including heart disease, lung disease, or diabetes, or with weakened immune systems";

AND IT FURTHER APPEARING TO THE COURT that the North Carolina Department of Health and Human Services recommends for "Mass Gathering Events" that the event organizers, in part: 1) urge everyone who is sick not to attend; 2) encourage those who are at high risk as described above not attend; 3) find ways to give people more physical space to limit close contact as much as possible; and 4) encourage attendees to wash hands frequently;

AND IT FURTHER APPEARING TO THE COURT that on March 15, 2020 Chief Justice Cheri Beasley and NCAOC Director McKinley Wooten, Jr. clarified the above referenced Administrative Order by distributing a Coronavirus Update for our Courts addressing some frequently asked questions including but not limited to: In-person meetings must be postponed or cancelled to the fullest extent possible;

AND IT FURTHER APPEARING TO THE COURT that Chief Justice Beasley entered an order on April 2, 2020 postponing court proceedings until June 1, 2020;

AND IT FURTHER APPEARING TO THE COURT that on March 15, 2020 Chief Justice Cheri Beasley and NCAOC Director McKinley Wooten, Jr. clarified the above referenced Administrative Order by distributing a Coronavirus Update for our Courts addressing some frequently asked questions including but not limited to: In-person meetings must be postponed or cancelled to the fullest extent possible;

AND IT FURTHER APPEARING TO THE COURT that Article 1, Section 18 of the North Carolina Constitution provides "All courts shall be open; every person for an injury done him in his lands, goods, person, or reputation shall have remedy by due course of law, and right and justice shall be administered without favor, denial or delay";

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Any Chapter 20 Failure to Appear issued beginning December 1, 2019 through May 31, 2020 will be stricken. The Alamance County Clerk of Court's Office will enter "in error" on the court file. **Exception:** If a Failure to Appear is issued in connection with a Driving While Impaired charge, said Failure to Appear will not be stricken.
2. The Alamance County Clerk of Court will reschedule cases that have had a Failure to Appear stricken to the officer's next assigned court date occurring after August 1, 2020.
3. Pursuant to social distancing requirements and limited space in the criminal district court courtrooms, the District Court "Failure to Appear Docket" will be suspended until further notice.
4. Any case that has a Failure to Appear issued and said case is scheduled after June 1, 2020, the Failure to Appear will be addressed by the presiding Judge in open court.
5. Motions to add on cases will not be allowed pursuant to social distancing requirements and limited space in the criminal district court courtrooms.
6. Any Failure to Appear issued prior to December 1, 2019 may be resolved according to the North Carolina General Statute and the Department of Motor Vehicle's fees and fines.

This the 19th day of MAY, 2020.



Bradley Reid Allen, Sr.
Chief District Court Judge