



SUPREME COURT OF GEORGIA

Case No. [Pending Case]

May 21, 2020

The Honorable Supreme Court met pursuant to adjournment.
The following order was passed:

STYLE OF THE CASE

Chief Justice Melton's March 14, 2020 Order Declaring Statewide Judicial Emergency tolled and extended deadlines imposed by this Court's rules, including deadlines for filing briefs, motions, and requests for oral argument. That Order was extended on April 6, 2020, and again on May 11, 2020, so that it is now scheduled to terminate on June 12, 2020.

The May 11 extension order gives courts the authority to reimpose deadlines previously extended or tolled by the March 14 Order. To keep this Court operating to the fullest extent practicable, and recognizing that most of the deadlines imposed by this Court's rules pertain to the e-filing of written documents rather than proceedings requiring in-person contact, this Court has determined that all of the deadlines imposed by our rules, including Rules 10-13, 23, 26-27, 30, 33, 37, 42, 37, 45-46, 48-49, 51, and 61-66, that were tolled or extended by the March 14 Order shall be reinstated for this case effective seven days after the May 21 date of this order. After the May 28 effective date, the parties will have the same amount of time to submit their filings as they had remaining at the time the original Order went into effect on March 14. OCGA § 1-3-1 (d) (3) should not be considered as to the original deadline being on a weekend or legal holiday but will apply if the new deadline falls on a weekend or legal holiday.¹

¹ For example, if the 20 days for filing a principal brief would have expired on Saturday, March 21, 2020, there were seven days remaining at the time the March 14 Order was entered, and the brief will now be due on Thursday, June 4, 2020. Or for another example, if the 20 days for filing a principal brief would have expired on Monday, March 23, 2020, there were nine days remaining at the time the March 14 Order was entered, and the brief will now be due not on Saturday, June 6 but rather on Monday, June 8 due to OCGA § 1-3-1 (d) (3). For a final example, if the Court had previously granted a 10-day extension of time to file a principal brief with an original deadline of Tuesday, March 10, 2020, such that the extended deadline would have been Friday, March 20, 2020, there would have been zero days remaining at the time

Parties submitting a filing subject to this order must attach to the end of their filing a separate “Certificate of Timeliness” that will not be counted towards the applicable page limitation, see Rule 20 (5), and that shall state the following:

- (a) the date the filing was due before the deadline for the filing was suspended (without regard to any non-emergency-related extensions previously granted, and without the application of OCGA § 1-3-1 (d) (3) where the filing deadline would have fallen on a weekend or legal holiday);
- (b) the number of days that remained before the date specified in (a), as of suspension of the deadline; and
- (c) that the filing being submitted is timely because it is being filed within the number of days calculated under (b), counting from the date the suspension is lifted (subject to OCGA § 1-3-1 (d) (3) if this new filing deadline falls on a weekend or legal holiday).

Parties who can show good cause for their inability to meet a deadline imposed by this Court’s rules due to difficulties they, their counsel, or other participants in the case now have relating to the COVID-19 pandemic or otherwise should file a timely motion for reconsideration of this order, and parties may seek extensions of time under Rule 12 should such difficulties arise later.

SUPREME COURT OF THE STATE OF GEORGIA
Clerk’s Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

 , Clerk

the March 14 Order was entered (disregarding the extension), and the brief would now be due on Thursday, May 28, 2020.