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MAY 22 2020

FRESNO COUNTY SUPERIOR COURT

By _____ DEPUTY

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
CENTRAL DIVISION

ORDER RE HEARINGS SET DURING) GENERAL ORDER RESETTING AND
COVID-19 PANDEMIC TEMPORARY) CONTINUING HEARING DATES
CLOSURE)
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**THE FOLLOWING CASES TYPES PREVIOUSLY SCHEDULED AND SET ON
CALENDAR TO BE HEARD BETWEEN JUNE 1, 2020, AND JUNE 12, 2020, ARE
ORDERED RESET AND CONTINUED AS FOLLOWS, UNLESS OTHERWISE
CONTINUED BY THE COURT WITH NOTICE BY MAIL TO THE DEFENDANT AND
COUNSEL:**

A. Out of Custody Defendant Arraignment

The arraignment hearing for a defendant who is out of custody will be reset until the next court day thirty (30) calendar days from the current set date.

B. Out of Custody Defendant Sentencing

The sentencing hearing for a defendant who is out of custody will be reset until the next court day thirty (30) court days from the current set date.

C. Existing Out of Custody Pre-Preliminary Hearing

The existing pre-preliminary hearing for an out of custody defendant will be reset until the next court day fifteen (15) court days from the currently set date if a general time waiver has been

1 entered. If no general time waiver has been entered, counsel will be asked to obtain an oral
2 waiver of the defendant's personal presence along with a general time waiver.

3 D. **Existing Out of Custody Settlement Conference / Pre-Trial Hearing**

4 The settlement conference / pre-trial hearing for an out of custody defendant will be reset
5 until the next court day twenty (20) court days from the currently set date. If no general time
6 waiver has been entered, counsel will be asked to obtain a waiver of the defendant's personal
7 presence along with a general time waiver. The parties should meet and confer regarding a
8 different date. The waiver of the defendant's personal presence shall be part of the meet and confer
9 discussions. If the parties reach a mutual agreement regarding an alternative date the parties shall
10 contact the Court and the Court will reset accordingly, if possible.

11 E. **Out of Custody Preliminary Hearing**

12 The preliminary hearing for a defendant who is out of custody will be reset until the next
13 court day ten (10) court days from the currently set date. If no general time waiver has been
14 entered, counsel will be asked to obtain a waiver of the defendant's personal presence along with a
15 general time waiver. The parties should meet and confer regarding a different date. The waiver of
16 the defendant's personal presence shall be part of the meet and confer discussions. If the parties
17 reach a mutual agreement regarding an alternative date the parties shall contact the Court and the
18 Court will reset accordingly, if possible.

19 F. **Out of custody Held to Answer Arraignment**

20 Held to answer arraignments will be reset until the next court day ten (10) court days from
21 the current set date.

22 G. **Miscellaneous Proceedings**

23 1. Conditional Settlement: Conditional settlement review and conditional settlement
24 hearings will be continued until the next court day thirty (30) calendar days from the currently set
25 date.

26 If counsel are satisfied that the conditions underlying the plea agreement have been
27 satisfied and wish to dispose of the case without a court appearance, the District Attorney may
28 electronically submit a motion to dismiss for judicial consideration and signature.

1 2. Mental Health: Mental health hearings will be continued until the next court day 10
2 (10) court days from the date currently set.

3 3. General Motions: General motions will be continued until the same time period as
4 the primary associated hearing. Stand-alone general motions will be continued until the next court
5 day fifteen (15) calendar days from the date currently set.

6 Felony law and motion will be heard as currently set on the Felony Law and Motion
7 calendar.

8 4. The following hearing types will be continued until the next court day twenty (20)
9 court days from the date currently set.

- 10 a. Deferred Entry of Judgment
- 11 b. FTA-PC 1000 Drug Diversion
- 12 c. Initial Review – Prop 36
- 13 d. Pre-Trial Drug Diversion PC 1000 – Initial Hearing
- 14 e. Pre-Trial Drug Diversion PC 1000 – Review Hearing
- 15 f. Review Prop 36
- 16 g. Substance Treatment and Recovery Court
- 17 f. Prop 47

18 5. The following hearing types will be continued until the next court day (30) calendar
19 days from the date currently set.

- 20 a. Case Status
- 21 b. Compliance
- 22 c. Contempt
- 23 d. Diversion Review
- 24 e. Evidentiary Hearings
- 25 f. Firearm Relinquishment Hearing
- 26 g. Identification
- 27 h. Hearing (miscellaneous hearings)
- 28 i. Orders to Show Cause

- j. Petition to Seal Record PC §851.7 et seq.
- k. Petition to Vacate Conviction/Resentencing PC §1170.95
- l. Probation Hearing – Modification
- m. Probation Hearing – Probation Transfer under PC §1203.9
- n. Probation Hearing – Review
- o. Progress Report or Review
- p. Proof
- q. Restitution

H. **Out of Custody Violation of Probation, Post-Release Community Supervision, Parole and Mandatory Supervised Release**

Cases set for arraignment on an alleged violation of supervision (VOP, PRCS, Parole or MSR) will be continued until the next court day approximately ten (10) calendar days from the date currently set.

All other violation hearings, including status conferences, sentencing and contested hearings will be continued until the next court day approximately thirty (30) calendar days from the date currently set.

Counsel are directed to meet and confer telephonically on all discovery and witness issues, and to be prepared to discuss case resolution on the reset hearing date.

I. **CRAD Hearing**

All CRAD cases will be rescheduled to a date as agreed upon by the parties.

DATED this 22ND day of May, 2020.



ARLAN L. HARRELL
PRESIDING JUDGE OF THE SUPERIOR COURT