

29 SEPTEMBER 2024
AMENDED ORDER OF THE CHIEF JUSTICE
OF THE SUPREME COURT OF NORTH CAROLINA

Having consulted the local judicial officials, I hereby determine and declare under N.C.G.S. § 7A-39(b)(1) that catastrophic conditions resulting from severe weather and flooding exist or have existed in certain western North Carolina counties. The original order, issued 29 September 2024, is amended to add three additional counties: Cherokee, Graham, and Swain. Pursuant to statutory authority, I therefore extend the time and periods of limitation for filing and for acts due to be done in the following North Carolina counties:

Alexander County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Alexander County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Alexander County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Alleghany County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Alleghany County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Alleghany County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Ashe County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Ashe County between the dates of 26 September 2024 and

14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Ashe County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Avery County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Avery County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Avery County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Buncombe County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Buncombe County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Buncombe County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Burke County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Burke County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Burke County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Caldwell County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Caldwell County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Caldwell County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Catawba County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Catawba County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Catawba County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Cherokee County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Cherokee County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Cherokee County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Clay County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Clay County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Clay County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Cleveland County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Cleveland County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Cleveland County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Gaston County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Gaston County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Gaston County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Graham County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Graham County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings

shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Graham County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Haywood County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Haywood County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Haywood County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Henderson County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Henderson County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Henderson County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Jackson County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Jackson County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Jackson County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal

actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Lincoln County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Lincoln County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Lincoln County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Macon County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Macon County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Macon County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Madison County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Madison County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Madison County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

McDowell County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in McDowell County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in McDowell County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Mitchell County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Mitchell County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Mitchell County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Polk County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Polk County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Polk County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Rutherford County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Rutherford County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special

proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Rutherford County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Swain County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Swain County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Swain County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Transylvania County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Transylvania County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Transylvania County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Watauga County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Watauga County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Watauga County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal

actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Wilkes County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Wilkes County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

I further order that all other acts that were due to be done in Wilkes County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

Yancey County

I order that all pleadings, motions, notices, and other documents and papers that were due to be filed in Yancey County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 14 October 2024.

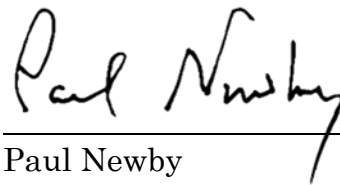
I further order that all other acts that were due to be done in Yancey County between the dates of 26 September 2024 and 14 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 14 October 2024.

* * *

Pursuant to N.C.G.S. § 7A-39(b)(2), the emergency directives contained in this order expire on 14 October 2024. As we assess the situation in each county, however, these deadlines may be extended.

Considering the severity of the conditions in certain counties of our State, I urge local judicial officials to exercise their own authority to grant additional relief and accommodations as necessary to protect courthouse personnel and the public while honoring the Judicial Branch's commitment to open courts and the prompt administration of impartial justice.

This order becomes effective on 30 September 2024. Issued this the 30th day of September, 2024.

A handwritten signature in black ink that reads "Paul Newby". The signature is written in a cursive style with a long, sweeping tail on the letter "y".

Paul Newby
Chief Justice
Supreme Court of North Carolina