

Supreme Court of Florida

AOSC07-25

IN RE: EMERGENCY REQUEST TO EXTEND TIME PERIODS
UNDER ALL FLORIDA RULES OF PROCEDURE FOR
LAFAYETTE COUNTY

ADMINISTRATIVE ORDER

WHEREAS on Friday, May 4, 2007, installation of a back-up generator caused the closure of the courts in Lafayette County in the Third Judicial Circuit of Florida; and

WHEREAS this installation also may have temporarily impeded the ability of attorneys, litigants, witnesses, jurors, and others in the performance of their duties and obligations with respect to many legal processes throughout the State of Florida;

THEREFORE, pursuant to the administrative authority conferred upon me by article V, section 2, of the Florida Constitution and Florida Rule of Judicial Administration 2.030(a)(2)(B)(iv),

IT IS ORDERED that:

1. In Lafayette County, all time limits authorized by rule and statute, including the speedy trial procedure, in criminal and juvenile proceedings are tolled from 5:00 p.m. on Thursday, May 3, through 8:00 a.m. on Monday, May 7, 2007, *nunc pro tunc*.

2. In Lafayette County, all time limits authorized by rule and statute applicable to civil (inclusive of circuit and county), family, criminal, domestic violence, probate, traffic, and small claims proceedings are tolled from 5:00 p.m. on Thursday, May 3, through 8:00 a.m. on Monday, May 7, 2007, *nunc pro tunc*.

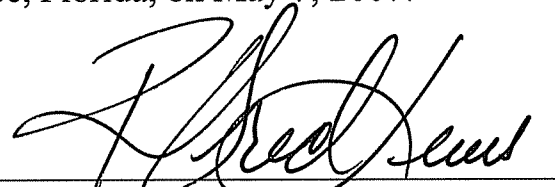
3. In Lafayette County, all time limits authorized by rule and statute applicable to notices of appeal of final and non-final orders, whether filed in the circuit or county court, are tolled from 5:00 p.m. on Thursday, May 3, through 8:00 a.m. on Monday, May 7, 2007, *nunc pro tunc*.

4. This Court recognizes that there may be instances where, because of this installation, these and other time limits applicable to matters in Lafayette County could not be met even upon application of the tolling periods stated above. If such a claim is made, it shall be resolved by the court in which jurisdiction is vested on a case-by-case basis when a party demonstrates that the lack of compliance with requisite time periods was directly attributable to this installation situation.

5. The Court also recognizes that matters outside Lafayette County may have also been affected by the court's closure. Consequently, the tolling of time

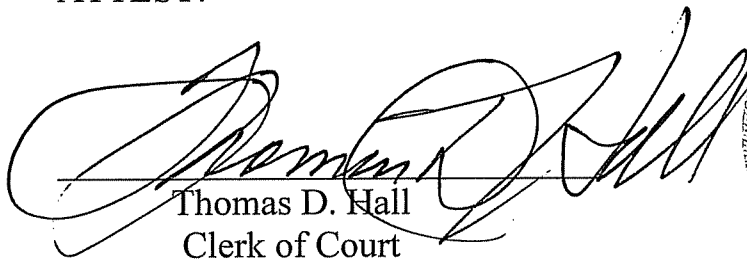
periods in matters outside Lafayette County shall be permitted only when a party demonstrates that the lack of compliance with requisite time periods was directly attributable to the court's closure.

DONE AND ORDERED at Tallahassee, Florida, on May 7, 2007.



Chief Justice

ATTEST:



Thomas D. Hall
Clerk of Court

