

## **FRIO COUNTY JUSTICE OF THE PEACE OFFICES**

**March 18, 2020**

### **MODIFICATION TO STANDING ORDER REGARDING CORONAVIRUS DISEASE (COVID-19) MITIGATION TO ALL FRIO COUNTY JUSTICES OF THE PEACE (JUSTICE COURT)**

#### **EVICCTIONS**

1. No eviction settings (both residential and commercial) will be held until after May 8, 2020. No writs of possession will be issued by a Justice Court for 60 days after the date of this order.
2. All scheduled court proceeding except for essential court proceedings, will be reset to a date after May 8, 2020. All courts in Texas may extend the statute of limitations in any civil or criminal case for a stated period ending no later than 30 days after the Governor's state of disaster has been lifted.
3. "Essential court proceedings" are defined as: writ of re-entry; writ of retrieval; writs of restoration; magistration of defendants in custody and of fugitives from justice (in or out of custody; death certificates, or burial transit permits; repair and remedy cases that materially affect the physical health or safety of a tenant; and any proceedings necessary to enforce a governmental entity's response to a COVID-19 declaration of state of disaster.
4. The Constables of Frio County are ordered to use their best discretion, prioritizing public health and deputy constable safety, in serving court papers and executing writs in this case and may delay serving court papers and executing writs if necessary.

The Supreme Court's March 19th order stopping residential eviction cases has an exception for cases where the tenant's conduct is either criminal activity or is an "imminent threat" to the health and safety of the plaintiff, plaintiff's employee, or other tenants.

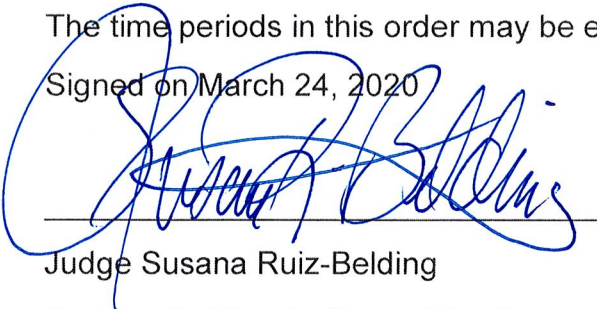
Frio County's procedural steps are:

- 1) Filing of a specific petition that alleges imminent threat.
- 2) A telephonic hearing determining whether imminent threat exists.
- 3) If imminent threat exists, the case will be set for a telephonic trial, and proceed as normal, with safety precautions in place.
- 4) If imminent threat does not exist, the case will be set for trial after May 8, 2020.
- 5) If a bad faith petition is filed, the Judge will impose sanctions/hold a contempt hearing for plaintiff.

This order is in effect immediately and shall expire May 8, 2020.

The time periods in this order may be extended in a subsequent order if required.

Signed on March 24, 2020



Judge Susana Ruiz-Belding

On behalf of the Justices of the Peace in Frio County, TX



Frio County Justice Court's Sworn Complaint for Forcible Detainer for Threat to Person or For Cause document is attached to this order (2 pages).