

11 OCTOBER 2024
ORDER OF THE CHIEF JUSTICE
OF THE SUPREME COURT OF NORTH CAROLINA
EXTENDING THE 29 SEPTEMBER 2024 AMENDED ORDER
FOR CERTAIN DESIGNATED COUNTIES

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 have existed and continue to exist in certain western North Carolina counties. The amended order, issued 30 September 2024, is extended for the following thirteen counties: Avery, Buncombe, Haywood, Henderson, Jackson, Madison, McDowell, Mitchell, Polk, Rutherford, Transylvania, Watauga and Yancey. 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:

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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 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 28 October 2024.

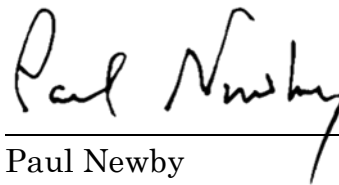
I further order that all other acts that were due to be done in Yancey County between the dates of 26 September 2024 and 28 October 2024 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 28 October 2024.

* * *

Pursuant to N.C.G.S. § 7A-39(b)(2), the emergency directives contained in this order expire on 28 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 15 October 2024. Issued this the 11th day of October, 2024.



Paul Newby
Chief Justice
Supreme Court of North Carolina