

Supreme Court of Kentucky

2024-33

AMENDED EMERGENCY ORDER

In Re: Amended Emergency Order, Letcher County Circuit and District Courts – Computation of Time and Authorization for Extension of Deadlines

On September 19, 2024, a tragic incident occurred within the Letcher County Courthouse located at 156 Main Street in Whitesburg. Due to this incident, the Letcher County Courthouse has been non-operational for holding court, operating court offices, and other essential court functions and was ordered closed by the Letcher County Chief Circuit Judge beginning Thursday, September 19, 2024, at 12:00 p.m. Further, the office of the Letcher County Circuit Court Clerk was deemed actually and legally closed by Kentucky Supreme Court Administrative Order 2024-32, beginning on Thursday, September 19, 2024, for purposes of computation of time. Since September 19, 2024, efforts have been made to restore the Letcher County Courthouse for court operations and in consultation with the Letcher County Chief Circuit Court Judge and the Circuit Court Clerk, it is anticipated that court operations will be able to resume on Monday, September 30, 2024.

Accordingly, under Sections 110(5)(b) and 116 of the Kentucky Constitution, the Supreme Court, through its authority to promulgate rules and issue orders of practice and procedure for the administration of justice in all civil and criminal actions, and for all proceedings in the courts of this Commonwealth, and in consideration of the conditions now existing in Letcher County, Kentucky, it is **HEREBY ORDERED** as follows:

Effective Monday, September 30, 2024, the office of the Letcher County Circuit Court Clerk will re-open. The office of the Letcher County Circuit Court Clerk is hereby

deemed to have been actually and legally closed from Thursday, September 19, 2024, through Sunday, September 29, 2024, for purposes of computation of time as set forth in KRS 446.030. Any days the office of the Letcher County Circuit Court Clerk is deemed to have been actually and legally closed pursuant to this Amended Emergency Order shall not be included for purposes of computation of time as set forth in CR 6.01 and RCr 1.10.

Further, when, by procedural statute or rule, or by notice given under a procedural statute or rule, or by court order, and notwithstanding CR 6.02, an act was required or allowed to be done at or within a specified time and the deadline for same fell between Thursday, September 19, 2024, and Monday, September 30, 2024, the presiding judge, sua sponte, or upon motion of a party, may extend the deadline by an amount of time which is reasonable, appropriate, and necessary under the circumstances, unless the deadline is imposed by substantive law or required by the Constitution of the United States or the Kentucky Constitution. These extensions shall apply to any cases venued in Letcher County.

This Amended Emergency Order does not abridge, enlarge, or modify the substantive rights of any litigant.

Entered this 27th day of September 2024.


CHIEF JUSTICE

All sitting; all concur.