

**IN THE SUPERIOR COURT OF THE WAYCROSS JUDICIAL CIRCUIT
STATE OF GEORGIA**

IN RE:

Declaration of Judicial Emergency

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ORDER

The undersigned Chief Judge of Superior Court for the Waycross Judicial Circuit of Georgia does hereby declare the existence of a judicial emergency in this circuit, pursuant to O.C.G.A. §38-3-60, et. seq. The nature of this emergency is due to a Winter Storm which is expected to result in dangerously low temperatures, with a potential for snow and ice accumulation, including black ice on roadways, that could impact all counties in the Waycross Judicial Circuit through Thursday, January 23, 2025, or longer as subfreezing temperatures may continue through the week. The undersigned makes this declaration in conformance with the Order by Governor Brian Kemp of the existence of a state of emergency in Georgia which was issued on or about January 20, 2025. (Attached hereto and incorporated herein as Exhibit "A"). Moreover, the county commissioners in some or all six counties in the Waycross Judicial Circuit have directed the closure of county offices beginning the afternoon of January 21, 2025 and reopening at regular scheduled office hours on January 23, 2025, or later, as weather reports are updated. Local school boards in some or all six counties in the Waycross Judicial Circuit have closed school during the same time period. Accordingly, it is the order of the Court that Bacon, Brantley, Charlton, Coffee, Pierce and Ware County Superior Courts, State Courts, Probate Courts, Magistrate Courts, and Juvenile Courts be closed for business at 2:00 p.m. on January 21, 2025 and reopen at regular office hours on January 24, 2025 unless extended. If conditions warrant, as determined by each county commission, any court may open early. Any court, by opening earlier, will not affect the protections afforded hereby for deadlines and extensions.

Given the uncertain nature or duration of this emergency, the court hereby suspends, tolls, extends and otherwise grants relief from all deadlines or other time schedules or filing requirements imposed by otherwise applicable statutes, rules, regulations, or court orders, whether in civil or criminal cases or administrative matters, including, but not limited to:

1. A statute of limitation;

2. The time within which to issue a warrant;
3. The time within which to try a case for which a demand for speedy trial has been filed;
4. The time within which to hold a commitment hearing;
5. A deadline or other schedule regarding the detention of a juvenile;
6. The time within which to return a bill of indictment or an accusation or to bring a matter before a grand jury;
7. The time within which to file a writ of habeas corpus;
8. The time within which discovery or any aspect thereof is to be completed;
9. The time within which to serve a party;
10. The time within which to appeal or to seek the right to appeal any order, ruling, or other determination;
11. The time for which hearings must be held in stalking and family violence cases, all ex parte relief is continued until next scheduled hearing in said matters; and
12. Such other legal proceedings as may be determined to be necessary.

The relief granted herein expires at 11:59 p.m. on January 23, 2025 unless otherwise ordered by the court. Should other contingencies arise due to law enforcement declared curfews, by order of the sheriff, by the county commission, by power outages, or other unforeseen contingencies, the expiration declared herein shall be extended hereby for the duration of the contingency.

Because the court expects all public buildings within the circuit to be closed for an indeterminate period of time, the court is unable to designate another facility for the transaction of court business. Judges of courts and clerks of all courts shall provide a dropbox for the filing of legal documents and shall also post conspicuously contact information including a phone number in case of an emergency. Should the state of emergency extend beyond the closure period indicated above, the court will make a determination of an available and appropriate facility for the conduct of court business when it is appropriate to do so.

This order shall be served upon the Chief Justice of the Georgia Supreme Court, Chief Judge of the Georgia Court of Appeals and the respective clerks thereof; all judges and clerks in the Waycross Judicial Circuit; all lawyers and litigants if possible; and the pertinent newspapers in the circuit. All Clerks are ordered to post this order conspicuously in their respective courthouses.

SO ORDERED, this 21st day of January, 2025, at 12:15 p.m. in Douglas, Coffee County Georgia.



DWAYNE H. GILLIS, Chief Judge, Superior Court
Waycross Judicial Circuit

Exhibit "A"



THE STATE OF GEORGIA

EXECUTIVE ORDER

BY THE GOVERNOR:

STATE OF EMERGENCY FOR WINTER WEATHER

- WHEREAS:** The State of Georgia is presently experiencing an extreme cold front with dangerously low temperatures, resulting in either a Cold Weather Advisory or Extreme Cold Warning issued by the National Weather Service for all 159 counties; and
- WHEREAS:** The National Weather Service predicts a significant winter weather precipitation event is likely to occur across Georgia beginning Tuesday, January 21, 2025, and continuing through Wednesday, January 22, 2025; and
- WHEREAS:** Projected precipitation accompanied by severe cold temperatures creates the potential for snow and ice accumulation, including black ice on roadways, that could impact the State through Thursday, January 23, 2025, or longer as subfreezing temperatures may continue through the week; and
- WHEREAS:** Potential snow and ice accumulation, fallen trees, and downed power lines may render Georgia's roadways hazardous or impassible in affected areas, isolating persons and residences from access to essential public services; and
- WHEREAS:** Assistance from the State of Georgia is necessary to provide for the public's safety and mitigate potential consequences of this winter weather; and
- WHEREAS:** The Governor is vested with the emergency powers cited herein as the Chief Executive of this State; and
- WHEREAS:** As Chief Executive, the Governor is tasked with protecting the citizens of this State, including during a state of emergency; and
- WHEREAS:** Code Section 38-3-51 vests the Governor with the authority to bring emergency situations under control by issuing orders, rules, and regulations to protect the safety and welfare of the public; and

WHEREAS: Code Section 38-3-28 provides that "[a]ll orders, rules, and regulations promulgated by the Governor" have the force and effect of law; and

WHEREAS: Code Section 38-3-51(c)(1) vests the Governor with the power to enforce all laws, rules, and regulations relating to emergency management and to assume direct operational control of all civil forces and helpers in the State; and

WHEREAS: Code Section 38-3-51(c)(4) vests the Governor with the power to perform and exercise such other functions, powers, and duties as may be deemed necessary to promote and secure the safety and protection of the civilian population; and

WHEREAS: Code Section 38-3-51(d)(1) vests the Governor with the power to suspend any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules, or regulations of any state agency if strict compliance with any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster; and

WHEREAS: The Federal Motor Carrier Safety regulations, 49 C.F.R. § 390, *et seq.*, limit the hours of operators of commercial motor vehicles may drive; and

WHEREAS: 49 C.F.R. § 390.23 allows the Governor of a State to suspend these rules and regulations for up to fourteen (14) days if the Governor determines that an emergency condition exists; and

WHEREAS: In consultation with state emergency preparedness officials, I have determined that the following actions are necessary and appropriate to protect the health, safety, and welfare of Georgia's residents and visitors.

NOW, THEREFORE, PURSUANT TO CODE SECTIONS 38-3-28 AND 38-3-51, AND THE AUTHORITY VESTED IN ME AS GOVERNOR OF THE STATE OF GEORGIA, IT IS HEREBY

ORDERED: That a State of Emergency exists in the State of Georgia due to the potential severe winter weather event affecting the State beginning January 21, 2025.

IT IS FURTHER

ORDERED: That all resources of the State of Georgia be made available to assist in preparation, response, and recovery activities throughout the State, and the Georgia Emergency Management and Homeland

Security Agency shall activate the Georgia Emergency Operations Plan and the Georgia State Operations Center.

IT IS FURTHER

ORDERED: That state agencies shall coordinate all public and emergency information, activities, releases, and response efforts related to this emergency with the Georgia Emergency Management and Homeland Security Agency.

IT IS FURTHER

ORDERED: That the Georgia Department of Transportation and Georgia Department of Public Safety shall take all necessary action to ensure the expeditious movement of utility vehicles, equipment, and personnel through the State to eliminate power outages.

IT IS FURTHER

ORDERED: That state agencies shall provide sufficient personnel required for the staffing of the Georgia State Operations Center or other command, control, and coordination points as may be designated by the Director of the Georgia Emergency Management and Homeland Security Agency and shall provide such personnel, vehicles, equipment, and other resources needed to protect life and property and to ensure continuation, restoration, and recovery of essential public services.

IT IS FURTHER

ORDERED: That the Georgia Department of Defense provide up to two hundred fifty (250) Georgia National Guard troops to be used in preparation, response, and recovery efforts for this State of Emergency for Winter Weather.

IT IS FURTHER

ORDERED: That said Georgia National Guard troops be called up to State Active Duty as necessary by the Adjutant General.

IT IS FURTHER

ORDERED: That the federal rules and regulations limiting hours that operators of commercial vehicles may drive are suspended to ensure the uninterrupted supply of goods and services necessary to respond to this State of Emergency for Winter Weather, including petroleum products, propane, and heating fuels. This declared emergency

justifies a suspension of Part 395 (driver's hours of service) of Title 49 of the Code of Federal Regulations. The suspension will remain in effect for fourteen (14) days or until the emergency condition ceases to exist, whichever is less. Nothing herein will be construed as an exemption from the Commercial Driver's License requirements in 49 C.F.R. § 383 and the financial requirements in 49 C.F.R. § 387.

IT IS FURTHER

ORDERED: That no motor carrier operating under the terms of this State of Emergency for Winter Weather will require or allow an ill or fatigued driver to operate a motor vehicle. A driver who notifies a motor vehicle carrier that he or she needs immediate rest will be given at least ten (10) consecutive hours off-duty before being required to return to service.

IT IS FURTHER

ORDERED: That weight, height, and length for any vehicle traveling through the State of Georgia for the purposes of providing relief related to this State of Emergency, which traverses roadways maintained by the State of Georgia, excluding interstates, shall not exceed the following:

- A. A maximum gross vehicle weight for vehicles equipped with five (5) weight-bearing axles, with an outer bridge span of not less than fifty-one (51) feet, shall not exceed a gross vehicle weight of ninety-five (95) thousand pounds, a maximum width of ten (10) feet, and an overall length of one hundred (100) feet. Continuous travel is authorized with the proper escorts.
- B. If the width of said vehicle exceeds eight (8) feet six (6) inches and is traveling after daylight, defined as thirty (30) minutes before sunset to thirty (30) minutes after sunrise, the transporter is required to have a vehicle front and a rear escort/amber light when traveling on a two-lane roadway and a vehicle rear escort when traveling on a four-lane highway. Transporters are responsible for ensuring that they have proper oversize signs, markings, flags, and escorts as defined in the Georgia Department of Transportation Rules and Regulations.

IT IS FURTHER

ORDERED: That commercial vehicles operating outside the normal weight, height, and length restrictions under the authority of this State of

Emergency shall be issued permits by the Georgia Department of Public Safety. Said vehicles shall be subject to any special conditions the Georgia Department of Public Safety may list on applicable permits. Nothing in this Executive Order shall be construed to allow any vehicle to exceed weight limits posted for bridges and like structures, nor shall anything in this Executive Order be construed to relieve compliance with restrictions other than those specified in this Order or from any statute, rule, order, or other legal requirement not specifically waived herein.

Oversize permits may be issued by the Georgia Department of Public Safety, Motor Carrier Compliance Division, during normal business hours, Monday through Friday by calling 404-635-8176 or through the Georgia Permitting and Routing Optimization System online portal at this website: www.gapropermits.com.

IT IS FURTHER

ORDERED: Pursuant to Code Section 10-1-393.4, price gouging related to goods and services necessary for preparation, response, and recovery activities for this State of Emergency for Winter Weather, including petroleum products, propane, and heating fuels, would be detrimental to the social and economic welfare of the citizens of this State and is therefore prohibited.

IT IS FURTHER

ORDERED: That if one or more of the provisions contained in this Order shall be held to be invalid, in violation of the Georgia Constitution, in violation of Georgia law, or unenforceable in any respect, such invalidity, violation, or unenforceability shall not affect any other provisions of this Order, but, in such case, this Order shall be construed as if such invalid, illegal, or unenforceable provision had never been contained within the Order.

IT IS FURTHER

ORDERED: That no provision of this Order shall limit, infringe, suspend, or supplant any judicial order, judgment, or decree issued pursuant to the laws or constitution of this State or the laws or constitution of the United States, nor shall any person use any provision this Order as a defense to an action in violation of a judicial order, judgment, or decree by any court created pursuant to the laws or constitution of this State or the laws or constitution of the United States.

IT IS FURTHER

ORDERED: That this Order does not suspend operation of any state or federal law or regulation, except as specifically described herein.

IT IS FURTHER

ORDERED: The Office of the Governor may continue to issue guidance on the scope of this Order as needed through communication media, including social media, without need for further Executive Orders.

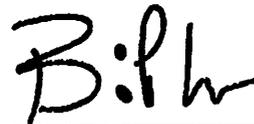
IT IS FURTHER

ORDERED: All provisions of the Order shall become effective upon signature and shall be valid for a period of eight (8) days, expiring Tuesday, January 28, 2025, at 11:59 P.M., unless this State of Emergency is renewed by the Governor.

IT IS FURTHER

ORDERED: That this Order shall be effective upon signature.

This 20th day of January 2025.



GOVERNOR