

Supreme Court of Florida

No. AOSC03-12

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

ADMINISTRATIVE ORDER

WHEREAS on Thursday, February 27, 2003, at 3:00 p.m. the Director of the Osceola County Department of Public Safety closed the Osceola County Courthouse due to occupants complaining of a odor, which resulted in some occupants experiencing medical problems; and

WHEREAS this problem caused the continued closure of court facilities in Osceola County on Friday, February 28, 2003; and

WHEREAS this closure 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 Osceola County, all time limits authorized by rule and statute affecting the speedy trial procedure in criminal and juvenile proceedings are tolled for two (2) days beginning at 5 p.m. on February 26,2003, *nuncpro tunc*.

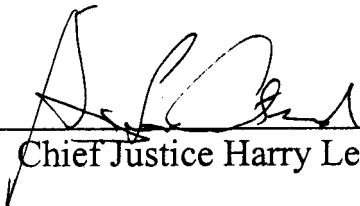
2. In Osceola County, all time limits authorized by rule and statute applicable to civil (inclusive of circuit and county), family, domestic violence, probate, traffic, and small claims proceedings are tolled for two (2) days beginning at 5 p.m. on February 26,2003, *nuncpro tunc*.

3. In Osceola County, all time limits authorized by rule and statute applicable to notices of appeal of final and nonfinal orders, whether filed in the circuit or county court, are tolled for two (2) days beginning at 5 p.m. on February 26,2003, *nuncpro tunc*.

4. This Court recognizes that there may be instances where, because of this closure, these and other time limits in Osceola County could not be met even after taking into consideration the tolling periods stated above. If such a claim is made, it shall be resolved by the court wherein jurisdiction lies on a case-by-case basis where a party demonstrates that the lack of compliance with requisite time periods was directly attributable to this emergency situation.

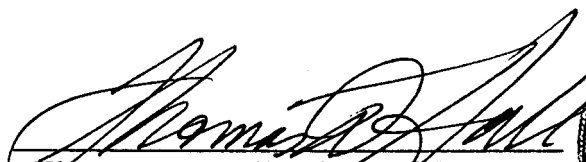
5. The Court likewise recognizes that cases outside Osceola County may also be affected by this emergency situation. Consequently, the tolling of time periods in cases outside of Osceola County shall be permitted only where a party demonstrates that the lack of compliance with requisite time periods was directly attributable to this emergency situation.

DONE AND ORDERED at Tallahassee, Florida, on March 5, 2003.



Chief Justice Harry Lee Anstead

ATTEST:



Thomas D. Hall, Clerk of Court

