

20S-CB-225

STATE OF INDIANA) IN THE MARTINSVILLE CITY COURT
) SS:
COUNTY OF MORGAN)

**PETITION FOR ORDER FOR RELIEF PURSUANT TO
ADMINISTRATIVE RULE 17**

COMES NOW the Martinsville City Court, and respectfully petitions the Indiana Supreme Court for relief under Ind. Administrative Rule 17, and in support thereof so states:

1. The COVID-19 pandemic has resulted in a Public Health Emergency declared at all levels of government.
2. That the prevailing strategy from experts in science and medicine is to practice “social distancing”, or limiting human interaction to only that which is necessary, along with eliminating direct interpersonal contact and the emphasis on personal hygiene.
3. That this strategy has substantially been adopted by all levels of government, including Orders and directives from President Donald Trump and various federal agencies, Governor Eric Holcomb and various state agencies, along with local governments
4. That the Supreme Court issued an Order on March 18, 2020 granting relief under Ind. Administrative Rule 17 to the Morgan Circuit and Superior Courts and has issued similar Orders for Courts statewide.
5. That the Martinsville City Court is a Court of limited jurisdiction and primarily adjudicates infractions and misdemeanors.
6. That the Martinsville City Court is in session every Wednesday, with Initial Hearings commencing at 2:00 p.m. and Trials commencing at 3:00 p.m.
7. That due to the foregoing circumstances, it is believed to be prudent to continue all hearings scheduled in the Martinsville City Court for the dates of March 25, April 1,

April 8, April 15, and April 22, thereby making the next regularly scheduled session of the Martinsville City Court to be April 29, 2020.

8. In addition, after consultation with local judges, Morgan County Sheriff, and Morgan County Jail Commander, it is believed to be prudent that any Defendant whose case is pending in the Martinsville City Court or whose case is filed in the Martinsville City Court is released of their own recognizance, without necessity of posting bond, and given an Order to Appear for April 29, 2020 or a date thereafter.
9. The Clerk of the Martinsville City Court will send notice to those effected by this Order.

WHEREFORE, the undersigned Honorable Mark Peden, as Judge of the City Court in the City of Martinsville, Indiana, respectfully requests that the Supreme Court declare that an emergency exists in Martinsville and Morgan County under the authority of Ind. Admin R. 17, and to make appropriate emergency orders for the Martinsville City Court as requested herein and directing and allowing said Court and its Clerk to alter, modify, and suspend necessary procedures as provided in the emergency plan submitted herewith, so as to appropriately address this emergency.

SO ORDERED this __20th__ day of March, 2020.



Hon. Mark Peden
Martinsville City Court