

IN THE SUPREME COURT STATE OF SOUTH DAKOTA
OF THE
STATE OF SOUTH DAKOTA

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

APR 20 2020

Shif A Johnson
Clerk

* * * *

RE:

STATE OF SOUTH DAKOTA)
COUNTY OF YANKTON) SS

IN CIRCUIT COURT
FIRST JUDICIAL CIRCUIT

IN RE THE ADMINISTRATION OF)
THE FIRST JUDICIAL CIRCUIT)

ORDER APPROVING

ADMINISTRATIVE ORDER #4
RE: COVID-19 PANDEMIC RESPONSE

By the Court's Order of March 13, 2020, Declaring Judicial
Emergency COVID-19 Disease the South Dakota Supreme Court declared the
existence of a judicial emergency pursuant to SDCL 16-3- 11 through 15
and pursuant to the Court's authority to administer justice and to
ensure the safety of court personnel, litigants and the public, it is

ORDERED that the attached Administrative Order #4 Re:
Covid-19 Pandemic Response of the First Judicial Circuit dated April
20, 2020, be and it is hereby approved in its entirety.

IT IS FURTHER ORDERED that this order shall remain in effect
until further order of the Court.

DATED at Pierre, South Dakota this 20th day of April, 2020.

BY THE COURT:

David Gilbertson

David Gilbertson, Chief Justice

ATTEST:

[Signature]
Clerk of the Supreme Court
(SEAL)

STATE OF SOUTH DAKOTA

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IN CIRCUIT COURT

COUNTY OF YANKTON

:SS

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FIRST JUDICIAL CIRCUIT

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Civ. 20-1

IN RE THE ADMINISTRATION OF
THE FIRST JUDICIAL CIRCUIT

ADMINISTRATIVE ORDER #4
RE: COVID-19 PANDEMIC RESPONSE

Pursuant to the March 19, 2020 South Dakota Supreme Court Order Providing for the Operation of the Court System During COVID-19 Pandemic, the Honorable Cheryle Gering, Presiding Judge of the First Judicial Circuit, with the approval of Chief Justice David Gilbertson, does issue the following administrative order:

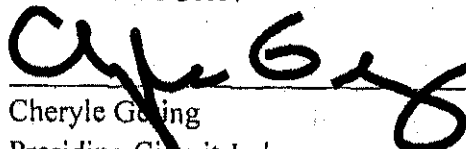
IT IS HEREBY ORDERED that the circuit court judge in every county in the First Circuit can issue an order staying outstanding felony arrest warrants, such as the form order attached hereto.

IT IS FURTHER ORDERED that the Administrative Order #1 issued on March 16, 2020 which was set to expire on April 30, 2020 is hereby extended and shall continue in effect.

THIS ORDER shall be in effect until modified or terminated by the presiding judge.

Dated this 20th day of April, 2020.

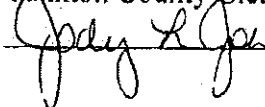
BY THE COURT:

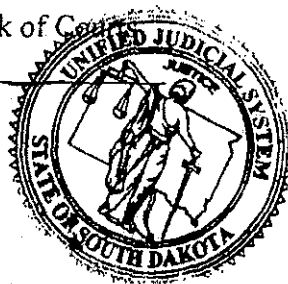

Cheryle Gering
Presiding Circuit Judge

ATTEST:

Jody Johnson

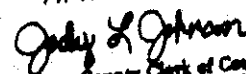
Yankton County Clerk of Courts





FILED

APR 20 2020


Jody Johnson
Yankton County Clerk of Courts
1st Judicial Circuit Court of South Dakota

STATE OF SOUTH DAKOTA)

IN CIRCUIT COURT

:SS

COUNTY OF _____)

FIRST JUDICIAL CIRCUIT

IN THE MATTER OF

* CIV20-1

* **ORDER CONCERNING ARREST WARRANTS**

THE ENFORCEMENT OF ARREST WARRANTS *

FOR FELONY OFFENSES IN

IN _____ COUNTY

* _____ COUNTY

A meeting was held with the Court on _____, 2020, at the request of the _____ County sheriff and the _____ County state's attorney. Present at the meeting were _____. The meeting was requested by the sheriff and the state's attorney to discuss execution of arrest warrants during the ongoing COVID-19 pandemic. During the meeting, it was discussed that numerous subjects of warrants from the county are living in or near Minnehaha County, South Dakota, the United States' current number one hotspot for coronavirus infections and that some of the suspects of the warrants either work at, have worked at or otherwise have connections with employees at Smithfield meat-packing plant in Sioux Falls, South Dakota.

The sheriff and the state's attorney were requesting guidance as to the enforcement of warrants under these circumstances and requested that a majority of the warrants of low priority be put on hold or held in abeyance for a period of time until the COVID-19 pandemic is under better control throughout the State. The state's attorney and the sheriff requested that the warrants on the attached list be deemed of low priority and nonenforceable for a reasonable period of time, but that other warrants of high priority remain fully enforceable.

Based upon the above and foregoing and upon the request of and with the consent of the Sheriff and State's Attorney, IT IS HEREBY

ORDERED that all felony arrest warrants on the attached list are put on hold and their enforcement by arrest stayed until further order of the Court, and it is further

ORDERED, that if law enforcement officers have contact with any defendant on the attached list they are to: 1) if the warrant is issued for a bond violation or failure to appear pre conviction, provide the Defendant with a Notice of Hearing as per forms to be provided by the _____ County State's States Attorney's Office with a hearing date set by the officer on the notice for the next regularly scheduled Circuit Court motion day in the county, or 2) if the violation is for a probation violation, serve a notice upon the Defendant to contact his/her Court Services Officer within 24 hours with the notice including the phone number for the Court Services Officer; and 3) the officer shall also obtain a valid working phone number, residence address and current employment address from the Defendant and forward that information to the Court Services Officer if the person is on probation, or to the State's Attorney if the person is not on probation (with the State's Attorney to provide the information to defendant's counsel if the defendant is represented); and it is further

ORDERED, that all remaining outstanding felony arrest warrants in _____ County shall remain in full force and effect and shall be executed by the sheriff and other law enforcement officers in accordance with South Dakota law.

Dated this _____ day of April, 2020.

BY THE COURT:

ATTEST:

Hon. _____
Circuit Court Judge, First Judicial Circuit

Clerk of Court