

**IN THE YOUNGSTOWN MUNICIPAL COURT  
YOUNGSTOWN, OHIO**

STATE OF OHIO	)	<b>Case No. 20 CRA OPEN</b>
CITY OF YOUNGSTOWN	)	<b>20 CRB OPEN</b>
Plaintiff	)	<b>20 TRC OPEN</b>
	)	<b>20 TRD OPEN</b>
	)	
	)	<b><u>JOURNAL ENTRY</u></b>
	)	
vs.	)	SUA SPONTE ORDER CONTINUING
	)	PRELIMINARY HEARINGS
	)	AND JURY TRIALS AND TOLLING
	)	SPEEDY TRIAL
	)	
	)	
Defendant	)	

The Youngstown Municipal Court continues to update procedures based on the impact of COVID-19. This Court Sua Sponte continues all Preliminary Hearings for a period of approximately thirty (30) days to an available date on the Court’s docket. All Jury Trials will be continued until the next Jury Session. This continuance is necessitated by the health risks and uncertainties posed by the Covid-19 .

The City of Youngstown is in the midst of a pandemic upsurge, with record high number of infections, hospitalizations and deaths. The Center for Disease Control has issued a travel advisory. The Mahoning County Board of Health has issued a stay-at-home advisory. The Governor of the State of Ohio has imposed a curfew.

The continuance set forth herein is necessary to protect the Court, court personnel, attorneys, witnesses, and the Defendant. This continuance is required for the administration of justice. The Corona Virus poses a threat to incarcerated defendants. The Ohio Department of Rehabilitation and Corrections has implemented measures prohibiting visitors and volunteers

from entering correctional facilities. The continuance set forth herein will reduce the threat to incarcerated defendants by reducing the number of people to whom the defendant is exposed. Conversely, the continuance will reduce the risk to law enforcement personnel and those involved in the criminal justice system by eliminating the necessity that the defendant be transported to the Court.

The Court finds that the period of the continuance is reasonable because of the health threat to jurors, court personnel, attorneys, and defendants themselves. The Court further finds that the Corona Virus poses a public health threat to the entire community.

The Ohio Attorney General has issued Opinion No. 2020-002 advising that the Corona Virus constitutes a legitimate basis for a continuance other than upon motion of the accused pursuant to R.C. 2945.72(h). The Defendant herein has not waived speedy trial, the speedy trial period set forth in R.C. 2945.71 et seq is tolled during the term of this continuance. Delaying the hearing will not prejudice the Defendant's right to a defense and will serve to protect the community.

The Court will continue to monitor the rate of Corona Virus infections, the number of hospitalizations and the number of deaths in the Mahoning Valley. The Court will strive to resolve the pending action as soon as practicable but reserves the right to order an additional continuance if necessary because of the public health threat posed by the Corona Virus and the lack of prejudice to the Defendant.

**IT IS SO ORDERED.**

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ADMINISTRATIVE AND PRESIDING JUDGE