

IN THE SUPREME COURT OF THE VIRGIN ISLANDS

IN RE:) **ADMIN. No. 2017-0005**
ORDER FURTHER EXTENDING LEGAL)
TIME LIMITS DUE TO HURRICANE)
MARIA.)
_____)

ADMINISTRATIVE ORDER

WHEREAS, effective at 12:01 a.m. on Tuesday September 5, 2017, Governor Kenneth E. Mapp declared a state of emergency due to Hurricane Irma, including imposition of a territory-wide curfew;

WHEREA, on Tuesday September 5, 2017, all courts of the Virgin Islands were ordered closed in preparation for Hurricane Irma, and all Judicial Branch electronic platforms, including the Supreme Court’s electronic filing system, were taken offline;

WHEREAS, Hurricane Irma made landfall in the United States Virgin Islands as a Category-5 hurricane on Wednesday September 6, 2017, and resulted in devastating damage throughout the Territory, and in particular the District of St. Thomas and St. John, including the loss of power and telephone service;

WHEREAS, because emergency conditions continued to persist, on Monday September 11, 2017, the Chief Justice of the Virgin Islands, by administrative order, tolled all time limits prescribed or allowed by rule of procedure, court order, statutes applicable to court proceedings, or otherwise pertaining to court proceedings from 12:01 a.m. on Tuesday September 5, 2017, through 11:59 p.m. on Thursday September 14, 2017, and extended such deadlines by ten (10) calendar days, and indefinitely suspended mandatory electronic filing;

WHEREAS, on Friday September 15, 2017, the Chief Justice, by administrative order, further tolled such time limits through 11:59 p.m. on Sunday September 17, 2017, extended such

deadlines by thirteen (13) calendar days, and advised that the physical facilities of the Superior Court of the Virgin Islands and the Supreme Court of the Virgin Islands would re-open for ordinary business on Monday, September 18, 2017;

WHEREAS, in anticipation of Hurricane Maria, which was projected to strike the Virgin Islands as a Category-4 hurricane, the Chief Justice, by administrative order, further tolled such time limits through 11:50 p.m. on Sunday October 1, 2017, extended such deadlines by twenty-seven (27) calendar days, and advised that the physical facilities of the Superior Court of the Virgin Islands and the Supreme Court of the Virgin Islands would be closed on Tuesday, September 19 and Wednesday, September 20, 2017;

WHEREAS, Hurricane Maria made landfall in the United States Virgin Islands as a Category-5 hurricane on Tuesday September 19, 2017, and resulted in devastating damage throughout the Territory, and in particular the District of St. Croix, including the loss of power and telephone service;

WHEREAS, the emergency conditions created by Hurricane Maria necessitate a further extension of legal time limits, as well as the further temporary closure of the Superior Court of the Virgin Islands on St. Croix;

NOW, THEREFORE, pursuant to the administrative authority conferred by title 4, sections 4 and 31 of the Virgin Islands Code, it is hereby

ORDERED that the public is **ADVISED** that the physical facilities of the Superior Court of the Virgin Islands in the District of St. Croix shall remain temporarily closed to the public as a result of the emergency conditions created by Hurricane Maria. Litigants who require urgent or expedited relief from the Superior Court in cases assigned to the District of St. Croix should file such documents with the Superior Court in the District of St. Thomas-St. John or, if unable to do

so, contact the Office of the Clerk of the Superior Court as soon as possible to make appropriate arrangements. It is further

ORDERED that all time limits prescribed or allowed by rule of procedure, court order, statutes applicable to court proceedings, or otherwise pertaining to court proceedings are **HEREBY TOLLED** from 12:01 a.m. on Tuesday September 5, 2017, through 11:59 p.m. on Sunday October 15, 2017, and that all such deadlines are therefore **EXTENDED** by forty-one (41) calendar days. It is further

ORDERED that all such time limits may be further extended by administrative order to the extent emergency conditions continue to persist in the Territory. It is further

ORDERED that, to the extent permitted by law, the Superior Court or the Supreme Court may extend such time limits beyond those set forth in this order on a case-by-case basis when a party demonstrates that the lack of compliance with a requisite time period was directly attributable to these emergencies and that equitable remedy is required. It is further

ORDERED that copies of this order be directed to the appropriate parties.

SO ORDERED this 29th day of September, 2017.

/s/ Rhys S. Hodge
RHYS S. HODGE
Chief Justice

ATTEST:

VERONICA J. HANDY, ESQ.
Clerk of the Court