

IN THE SUPREME COURT OF THE VIRGIN ISLANDS

IN RE:) **ADMIN. No. 2017-0003**
RE-OPENING OF JUDICIAL BRANCH)
FACILITIES AFTER HURRICANE)
IRMA.)
_____)

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;

WHEREAS, 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, although emergency conditions are expected to persist, it is anticipated that all physical facilities of all courts of the Virgin Islands will re-open for ordinary business on

Monday, September 18, 2017.

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 and the Supreme Court of the Virgin Islands on both St. Thomas and St. Croix shall re-open for ordinary business on Monday, September 18, 2017. It is further

ORDERED that, notwithstanding Administrative Order No. 2017-0001 issued on Monday September 11, 2017, 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 September 17, 2017, and that all such deadlines are therefore **EXTENDED** by thirteen (13) calendar days. 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 this emergency and that equitable remedy is required. It is further

ORDERED that, in accordance with Administrative Order No. 2017-0002 issued on Monday September 11, 2017, the requirements of Rule 40 of the Virgin Islands Rules of Appellate Procedure **SHALL REMAIN SUSPENDED** until further order of this Court. It is further

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

SO ORDERED this 15th day of September, 2017.

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

In re: Re-Opening of Judicial Branch Facilities

Administrative Order

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ATTEST:

VERONICA J. HANDY, ESQ.

Clerk of the Court