



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF EL DORADO**

1354 Johnson Boulevard
South Lake Tahoe, CA 96150

FILED

APR 10 2020

EL DORADO CO. SUPERIOR COURT
BY 
(DEPUTY CLERK)

DATE: April 10, 2020
JUDGE: Suzanne N. Kingsbury, Presiding Judge
CLERK: Derinda Lambie

**AMENDED GENERAL ORDER RE:
PROHIBITION AGAINST RESIDENTIAL EVICTIONS
DURING A DECLARED STATE OF EMERGENCY**

On March 4, 2020, the Governor of the State of California declared a State of Emergency to exist in California by reason of the COVID-19 pandemic; and as the Governor, by Executive Order N-28-20, has extended the 30-day prohibition against residential evictions during a declared State of Emergency contained in Penal Code § 396(f) to May 31, 2020; and as the Judicial Council adopted Emergency rule 1 to the California Rules of Court effective April 6, 2020; and further, that on March 26, 2020, El Dorado County Sheriff John D'Agostini submitted an application for a court order temporarily suspending execution of writs of possession on certain property; and good cause appearing,

IT IS HEREBY ORDERED THAT:

1. Execution of any Writ of Possession for residential real property issued by this court after March 4, 2020, shall be suspended until after May 31, 2020;
2. Nothing in this Order shall restrict the enforcement of move-out orders contained within restraining orders, domestic violence prevention orders, or elder abuse orders;
3. Any currently pending residential unlawful detainer proceeding in this court in which the defendant has appeared shall proceed in accordance with Emergency rule 1 to the California Rules of Court;


4. The court may not issue a summons on a complaint for unlawful detainer unless the court finds, in its discretion and on the record, that the action is necessary to protect public health and safety.
5. Unlawful detainers shall in all other manner proceed in accordance with Emergency rule 1 to the California Rules of Court.

While the court believes it would be conducive to public health and safety to stay all residential evictions, the court is without authority to do so. Specifically, pursuant to Penal Code § 396(f), it is not a violation to enforce writs of possession that were issued prior to the Governor's declaration of a State of Emergency on March 4, 2020. However, the Sheriff may, and is strongly encouraged to, contact residential landlords and/or their attorneys to negotiate a voluntary agreement to stay any pending evictions that are not covered by Executive Order N-28-20 or by this Order.

Pursuant to Executive Order N-28-20, the court may consider an application to stay an eviction in order to quarantine, isolate, or take any other public health measure that may compel an individual to remain physically present in a particular residential real property, as necessary to protect public health and safety.

IT IS SO ORDERED.

Dated: April 10, 2020


SUZANNE N. KINGSBURY
Presiding Judge of the Superior Court of California
County of El Dorado