



IN THE JUSTICE OF THE PEACE COURTS,  
BEXAR COUNTY, TEXAS

SECOND ORDER REGARDING COURT PROCEEDINGS  
PENDING COVID-19 STATE OF EMERGENCY

As a result of further Orders issued by the Texas Supreme Court and the Court of Criminal Appeals, and given the severity of the risk of the spread of COVID-19, and taking into consideration matters of public health, while reducing the size of public gatherings, the Justice of the Peace Courts hereby ORDER:

1. This Order supplements and does not replace or amend the First Order Regarding Court Proceedings Pending COVID-19 State of Emergency issued by the Bexar County Justices of the Peace;
2. All scheduled Court proceedings except for essential court proceedings and proceedings described in Section 3 below are reset to a date after May 8, 2020;
3. Emergency evictions for residential property under Chapter 24 of the Texas Property Code and Rule 510 of the Texas Rules of Civil Procedure may proceed if, but only if:
  - a. The plaintiff files a "Sworn Complaint for Forcible Detainer for Threat to Person or for Cause";
  - b. The Court determines that the facts and grounds for eviction stated in the Complaint, under oath with personal knowledge, taken as true, show that the actions of the tenant, or the tenant's household members or guests, pose an imminent threat of (i) physical harm to the plaintiff, the plaintiff's employees, or other tenants, or (ii) criminal activity; and
  - c. The Court signs an order stating procedures for the case to proceed.
4. No warrants based on failing to appear or for violating a promise to appear to a Justice Court for a traffic/Class C citation, cite and release charge, or summons will be issued for 30 days after the Texas Governor's state of disaster has been lifted;
5. In order to alleviate the threat of COVID-19 in County Jails, the Justices of the Peace temporarily suspend active warrants for all misdemeanor Class C offenses from their Courts during the state of disaster. All the requirements and conditions of the warrants previously signed by the Justices of the Peace remain in effect but are suspended during this state of disaster. For the effective period of suspension, the Bexar County Sheriff's Office, County Constables, and all other law enforcement

agencies are directed to relate this order to all law enforcement officers requesting confirmation of warrants, so that they are aware not to bring Class C defendants to the jail.

6. All deadlines or statutes of limitation calculations are tolled effective March 16, 2020 to May 8, 2020.
7. Nothing in this Order affects the ability of each Justice of the Peace Court's inherent discretion to further adjust and/or modify each Court's own dockets and Court operations; and

Because the current situation remains fluid and evolving, the Courts may modify and/or extend the terms of this Order. Otherwise, this Order will remain in effect through May 8, 2020, and will then expire.

The Courts encourage all individuals having business with the Court, to the extent possible, to conduct said business, telephonically or electronically. Furthermore, if a party or an attorney is exhibiting any COVID-19 symptoms, including fever, coughing or sneezing, or if one believes he or she may have been exposed to COVID-19, said individuals will be denied entry to the building and will need to make arrangements with each Court telephonically or electronically.

**SIGNED, ENTERED AND ORDERED this 20<sup>th</sup> day of March, 2020.**



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Judge Rogelio Lopez, Jr.

On behalf of the Justices of the Peace in Bexar County, Texas