



**STATE OF NORTH CAROLINA  
OFFICE OF ADMINISTRATIVE HEARINGS**

1711 New Hope Church Rd  
Raleigh, NC 27609

On March 19<sup>th</sup>, 2020, and April 13<sup>th</sup>, 2020, The Honorable Cheri Beasley, Chief Justice of the North Carolina Supreme Court, issued orders pursuant to N.C.G.S. § 7A-39(b)(1) extending time and periods of limitation for documents and papers due to be filed and acts due to be done in the trial courts of this state. The Chief Justice's orders were issued in response to the public health threat posed by the COVID-19 outbreak and were intended to reduce the spread of infection in courthouses throughout the state.

On May 21<sup>st</sup>, 2020, the Chief Justice issued a third order pursuant to N.C.G.S. § 7A-39(b)(1) declaring that "catastrophic conditions resulting from [the public health threat posed by] the COVID-19 outbreak have existed and continue to exist in all counties of this state" and that "[a]nother extension of time and periods of limitation pursuant to N.C.G.S. § 7A-39(b)(1) is now necessary." The Chief Justice's May 21<sup>st</sup>, 2020, order provides, *inter alia*, that all periods of limitation that were set to expire between March 16<sup>th</sup>, 2020 and July 31<sup>st</sup>, 2020, inclusive of those dates, are thereby extended until the close of business on July 31<sup>st</sup>, 2020.

On May 2<sup>nd</sup>, 2020, The Honorable Roy Cooper, Governor of the State of North Carolina, signed Senate Bill 704 into law (Session Law 2020-3). Section 4.26 of Session Law 2020-3 (effective retroactively to March 10<sup>th</sup>, 2020) authorizes the Chief Administrative Law Judge, by order, to extend the time or period of limitation for the filing of a petition for a contested case, whether established by N.C.G.S. § 150B-23(f) or by another statute, "[w]hen the Chief Justice of the North Carolina Supreme Court determines and declares that catastrophic conditions exist or have existed in one or more counties of the State and issues an order pursuant to G.S. 7A-39(b)."

On May 13<sup>th</sup>, 2020, by the authority granted to the Chief Administrative Law Judge under Session Law 2020-3, I ordered that the filing of a petition for a contested case, originating in any of North Carolina's one hundred counties (or as may be otherwise authorized by law), shall be deemed to be timely filed if the petition is filed in the Office of Administrative Hearings between the effective date of my order as Chief Administrative Law Judge and the close of business on June 1<sup>st</sup>, 2020, notwithstanding the expiration of the time limit for filing of a petition in a contested case as established by or referenced in N.C.G.S. § 150B-23(f).

In light of the May 21<sup>st</sup>, 2020 order issued by the Chief Justice of the North Carolina Supreme Court and by the authority granted to the Chief Administrative Law Judge under Session Law 2020-3, I now order that all petitions for a contested case, originating in any of North Carolina's 100 counties (or as may be otherwise authorized by law), that were or are due to be filed on or after March 19<sup>th</sup>, 2020, and before the close of business on July 31<sup>st</sup>, 2020, shall be deemed to be timely filed if they are filed in the Office of Administrative Hearings before the

close of business on July 31<sup>st</sup>, 2020, notwithstanding the time or period of limitation established by N.C.G.S. § 150B-23(f) or by any other statute.

My Order as the Chief Administrative Law Judge is effective March 19<sup>th</sup>, 2020, the date of the Chief Justice's March 19<sup>th</sup>, 2020, order, and shall expire at such time the Chief Justice's order of May 21<sup>st</sup>, 2020, shall expire.

**IT IS SO ORDERED.**

This the 27<sup>th</sup> day of May, 2020.

A handwritten signature in black ink, appearing to read "Julian Mann III", is written above a solid black horizontal line.

Julian Mann III  
Chief Administrative Law Judge