

NORTH CAROLINA  
CATAWBA COUNTY

**FILED**

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CATAWBA CO., C.S.C.

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IN THE GENERAL COURT OF JURISDICTION  
SUPERIOR COURT DIVISION  
DISTRICT COURT DIVISION  
JUDICIAL DISTRICT 25B

FILE NO. 21-R- 279

**SECOND AMENDEND ADMINISTRATIVE ORDER  
REGARDING FACIAL MASK/COVERING REQUIREMENTS  
AT THE CATAWBA COUNTY JUSTICE CENTER**

NOW COMES the undersigned Senior Resident Superior Court Judge for Judicial District 25B who HEREBY ENTERS the following Order related to the Coronavirus (COVID-19) pandemic.

IT APPEARING TO THE COURT that after months of decline, North Carolina is experiencing a rapid increase in COVID-19 cases and hospitalizations among those who are unvaccinated. The Delta variant, which is now the predominant strain of the COVID-19 virus in North Carolina, is significantly more contagious than the original virus. While the original virus spread from one person to an average of two or three people, the Delta variant is spreading from one person to an average of six people. The undersigned has consulted with various court officials in Catawba County and the Catawba County Public Health Director who advises that this order is necessary for the protection of the citizens of Catawba County.

IT FURTHER APPEARING TO THE COURT that the numbers of positive Covid-19 cases and the number of hospitalizations for Covid-19 patients has recently risen in Catawba County and surrounding areas.

IT FURTHER APPEARING TO THE COURT that the North Carolina Department of Health and Human Services and the Center for Disease Control have recently revised their recommendations and guidelines to include a requirement that everyone, including people who are fully vaccinated, should wear a face covering at all indoor settings where a large number of people are congregated.

IT FURTHER APPEARING TO THE COURT that in order to (1) preserve the infrastructure of the Catawba County Justice Center, including all employees who work within this building, (2) continue to operate necessary court functions, and (3) protect the health and safety of all citizens who are required to enter, it is vital that all available tools be utilized to limit the possible transmission of the virus. The entry of the following order is therefore necessary for the proper administration of justice in Catawba County.

WHEREFORE, based upon the foregoing, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:


1. Effective immediately, ALL PERSONS who enter the Catawba County Justice Center shall be required to wear a face covering while in any common area of the Justice Center and when there is interaction with others. For purposes of this order, a "face covering" shall be defined

as a covering of the nose and mouth that is secured to the head with ties, straps, or loops over the ears or is wrapped around the lower face. This face covering requirement does not apply to persons who cannot wear a face covering due to health or safety reasons, who are actively eating or drinking, who are communicating with someone who is hearing impaired in a way that requires the mouth to be visible, who are temporarily removing their face covering to secure medical services or for identification purposes, or who are under 5 years of age.

2. The Catawba County Sheriff and the deputies of his office shall have the authority and power to greet persons at the entrance to the Justice Center, regardless of their purpose for entry, and advise them of this Order of the undersigned and advise anyone who, without citing an exception, refuses to wear a mask, that such person will not be allowed admittance into the Courthouse, and is ordered and empowered not to allow such person admittance into the Courthouse, and to advise such person that if he or she is a defendant in a criminal case, that person will be called and failed if he or she is not present when the case is called for trial, and in the appropriate circumstance, that the Court will issue an order for arrest.
3. Individuals who attempt to enter the Justice Center without a facial covering will be provided a mask when available, but the failure to provide a mask shall not constitute grounds for any person's failure to appear in court. Masks, not unlike other clothing attire required to be worn in order to enter the Justice Center, are available for purchase at various local retail stores within walking distance to the entrance of the Courthouse.
4. Each presiding judge of any courtroom retains the discretion to allow a facial covering to be removed if at any point during any court proceeding a speaker is unable to speak clearly or be heard, or for any other reason justice would require removal of a facial covering.
5. The Catawba County Sheriff is hereby charged with the responsibility and duty of the enforcement of this order. Any individual who refuses to wear a mask who does not fall under an exception shall be removed from the facility immediately. Each bailiff shall ensure that all those present in the courtroom continue to wear a mask. Each bailiff shall further ensure that all persons present in all common areas of the Justice Center, including, but not limited to, public and secure hallways, lobbies, elevators, restrooms and break rooms shall continue to wear a facial covering.

THIS ORDER IS ENTERED with the intent of protecting the health and well-being of the citizens of Catawba County and the employees who work within the Catawba County Justice Center while providing orderly access to our Judicial System and shall expire only upon further order of the Court.

Signed and entered this the 17 day of August, 2021.

  
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Nathaniel J. Poovey  
Senior Resident Superior Court Judge  
Judicial District 25B, Catawba County