IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

IN RE: 32nd JUDICIAL DISTRICT   :   PA SUPREME COURT NO. 30 MM 2020

          :

    December 18, 2020, Sheriff Real   :

    Estate Sale Postponed[1]   :   DELAWARE COUNTY NO. 5120-17

EMERGENCY ORDER POSTPONING DECEMBER 18, 2020, SHERIFF'S REAL ESTATE SALE

AND NOW, this 4th day of December, 2020, this court having previously declared in the 32nd judicial district (Delaware County) a judicial emergency and again recently once more extended that emergent declaration pursuant to such an order of the Pennsylvania Supreme Court sanctioning the same,[2] as well as Pa.R.J.A. No. 1952(B)(1)(2), and this court thus still having those authorities detailed under Pa.R.J.A. No. 1952(B)(2)(a-s), it is hereby **ORDERED** and **DECREED** on such an application of Jerry L. Sanders, Jr., the Delaware County Sheriff, as follows:[3]
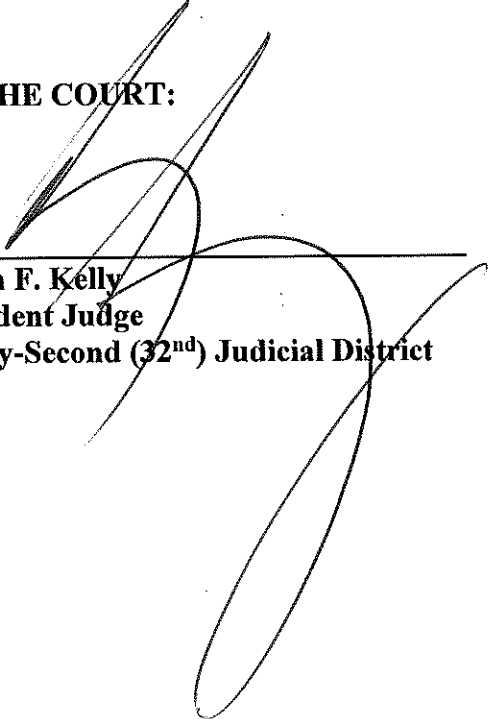
The real estate sale past set for December 18, 2020, at 11:00 a.m., in the county council meeting room of the Delaware County Government Center, Media, Pennsylvania, including **ALL PROPERTIES** on this list (December 18, 2020) so transferred via this court's previous such emergency orders,[4] if any, as **POSTPONED**[5] and the sale of those properties on the December 18, 2020, list is reset for the sheriff's sale scheduled for **JANUARY 15, 2021**, at 11:00 a.m., in the county council meeting room, Delaware County Government Center, Media, Pennsylvania.

New notice of the postponed and/or relisted sales of real property ordered above per Pa.R.C.P. 3129.3 **SHALL NOT** be required as provided by Pa.R.C.P. 3129.2.

That directed above as subsequent material circumstances warrant and/or it otherwise believes appropriate may be revisited by this court and modified to meet the evolving concerns presented by the ongoing COVID-19 public health crisis.[6]

To the extent possible and practical under the material circumstances, notice of this order has been and/or will promptly be posted about the Delaware County courthouse, including but not limited to the complex's entry doors, the Delaware County Office of Judicial Support, the Court Administrator's Office of Delaware County, the Criminal Court Administrator's Office, the court's website, all magisterial district court facilities within Delaware County, the Delaware County Bar Association's website, and submitted to the Administrative Office of Pennsylvania Courts ("AOPC") for posting on the Commonwealth's Unified Judicial System's website per Pa.R.J.A. No. 1952(C)(5).[7]

BY THE COURT:

Kevin F. Kelly
President Judge
Thirty-Second (32nd) Judicial District

[1] *See* Emergency Sheriff Sale Postponement Orders dated March 18, 2020; April 7, 2020; April 28, 2020; May 27, 2020; June 18, 2020; September 10, 2020; and October 20, 2020.

[2] *See* Orders dated March 16, 2020, pp. 1-2; March 18, 2020, pp. 1-3; April 1, 2020, pp. 1-3; April 28, 2020, pp. 2-5; and May 27, 2020, pp. 1-3 - Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket; Emergency Declaration dated March 17, 2020; Emergency Declaration Extension dated April 2, 2020; Second Emergency Declaration Extension dated April 28, 2020; Third Emergency Declaration Extension dated May 27, 2020; Forth Emergency Declaration Extension dated July 8, 2020; and Fifth Emergency Declaration Extension dated October 20, 2020. *See also* Pa.R.J.A. No. 1952 (B)(l)(2).

[3] *See Philadelphia Inquirer,* May 13, 2020, Section B, p. 1 ("Infections greater at Delco jail - Jail: Nearly half of inmates tested had virus; infection rate 50 times that of the population at large."); May 16, 2020, Section A, pp. 1, 4 ("Over that past 14 days, Delaware County has on average 275 cases for each 100,000 residents ... significantly higher than the suburban counties surrounding it."); May 19, 2020, Section A, pp. 1, 6 ("Virus Rate Remains Stubbornly High in Delaware County"); May 22, 2020, Section A, pp. 1, 9 ("Delaware County trails Philadelphia and the other counties in flattening the curve of new cases."); July 2, 2020, Section A, pp. 1, 6 ("... Pa. reports s biggest one-day increase since June 5... . Cases ... June 1 ... July 1 ... Change ... +8%."); July 8, 2020, Section A, pp. 1, 6 (Delaware County infection rate increases from 23 to 32 per 100 ,000 persons.); July 16, 2020, Section A, pp. 1, 6 ("New Pa. limits as cases rising ... After averaging about 400 new cases a day less than a month ago, this state is now averaging close to 800. Case counts have increased in 43 counties and the percentage of people testing positive has increased in 28 counties ... ."); July 20, 2020, Section A, pp. 1, 9 (Three (3) of the five (5) municipalities having the greatest number of Coronavirus cases per 10,000 residents within southeastern Pennsylvania are Delaware County communities.); July 22, 2002, Section A, p. 1 ("Pennsylvania is reporting an average of 871 cases per day, an increase of 120% from June 19, following a two-month decline."); July 23, 2020, Section A, pp. 1, 9 (Delaware County's seven (7) day average of newly reported cases has increased 220% since June 27, 2020.); July 29, 2020 Section A, pp. 1, 6 (Since June 27, 2020, the daily average of new cases has increased 379% growing from 16 to 75.); July 30, 2020, Section A, p. 6 ("Delco count rising fastest in area [.] ... The county has gone from an average of 15.7 new cases a clay on June 27 to 78.3 new cases a day on Tuesday - an increase of 398% ... . 'We are concerned with what we have seen from Delaware County,' ... Nate Wardell, a spokesperson from the state Health Department, said... ."); August 14, 2020, Section A, p. 1 (" ... Pennsylvania Health Secretary ... cited ... Delaware Count[y] as [an] area[] in the state with high community spread of the coronavirus. Delaware County's per capita rate of new cases now exceeds that of Philadelphia, Allegheny County, and the state as a whole."); August 20, 2020, Section A, pp. 1, 3 (" ... Delaware County currently has the highest [COVID-19] rate [per 100,000 residents] in the region. ..."); October 7, 2020, Section A, 1, 8 ("Pennsylvania ... [is] entering October with coronavirus case levels at the highest they have been since the encl of spring Since the end of August, the average number of new coronavirus cases reported each day nearly doubled in Pennsylvania"); October 8, 2020, Section A, p. 9 (" ... [S]ince the end of August the average number of new coronavirus cases reported each day nearly doubled in Pennsylvania Compared with a month ago, average new cases a day have jumped by more than 400 in Pennsylvania, surpassing 1,000 per day last week ... ."); October 11, 2020, Section B, p. 2 ("Pa. virus cases hit 6-month high ... Pennsylvania reported its highest number of confirmed coronavirus infections in six months ... ."); October 13, 2020, Section B, pp. 1, 8 ("The average number of new coronavirus infections being diagnosed in Pennsylvania ... showed no signs of slowing, even after warnings last week from officials advising the public to double down on safety practices. ... The Commonwealth was averaging 1,300 new cases a clay over the last seven days ... . Delaware [C]ount[y] [has] seen [a] rise[] in recent days. Using 14-day totals of new cases per 100,000 people, ... Delaware County went from 94 to 125"); October 16, 2020, Section A, p. 8 ("Pennsylvania reported 1,598 new coronavirus cases, the highest one-day count since April 24 and the 10th, day in a row new cases have exceeded 1,000. The commonwealth is now averaging 1,370 new cases a day, the highest daily average since April 14, right after the pandemic's first peak."); October 23, 2020, Section A, p. 8 ("... Delaware ... Count[y] ... [has] more than 2,000 per 100,000 residents, well above the threshold the state deems safe."); October 29, 2020, Section A, pp. 1, 3 ("Pennsylvania's fall coronavirus surge has surpassed the state's April peak in new

cases, the rising metrics continued sounding alarm bells on a day when Pennsylvania's average daily number of new cases rose above 2,000 for the first time during the pandemic, ..."); November 5, 2020, Section B, pp. 1, 9 ("The coronavirus pandemic continued to escalate across the region daily increases are now even higher than in the springtime peak. ... [A]n infectious disease specialist ... said in an interview that the trends are dangerous, an expert's fear worse is to come."); November 6, 2020, Section B, pp. 1, 4 ("As new coronavirus cases in Pennsylvania ... soar past levels that prompted shut downs in the spring the Pennsylvania Department of Health on [November 5, 2020] reported an unpresented daily increase of ... COVID-19"); November 8, 2020, Section B, pp. 1, 4 ("Over the last four weeks, rates of new known coronavirus cases have at least doubled in ... every county in the Philadelphia area."); November 10, 2020, Section B, pp. 1, 3 ("At the pandemic's eight month mark, Pennsylvania is in the midst of a streak of about 3,000 cases a day in the Philadelphia region, Delaware County has the highest positivity rate of 7.6%"); November 12, 2020, Section B, pp. 1, ("A second pandemic wave is ... in the region nearly nine months after the forced shutdowns ... . Hospitals in Delaware County in recent days became so inundated with COVID-19 that they are turning away ambulances ... ."); November 13, 2020, Section A, pp. 1, 6 ("All five of Delaware County's hospitals were at capacity earlier this week and had to divert patients ... . Pennsylvania reported that it had received 5,488 new positive-test results and for the first time in the pandemic it averaged more than 4,000 cases a day in the seven-day period ... . In Delaware County, cases are close to where they were at the spring pandemic peak"); November 16, 2020, Section B, pp. 1, 5 ("Pennsylvania's daily average has increased every day since mid-October , but in November the number has soared."); November 17, 2020, Section A, pp. 1, ("With nearly 10,000 new infections reported in Pennsylvania between Sunday and Monday ... leaders across the region urged renewed intensity in the face of pandemic fatigue... . The statewide positivity rate has increased to 9.6% from 6.8%"); November 18, 2020, Section A, pp. 1, 6 ("Pennsylvania's top health official issued a broader mask mandate, a bid to force people to wear face coverings as coronavirus case numbers continue to soar over the last four weeks rates of new known coronavirus cases have at least tripled in every county in the Philadelphia area."); and November 20, 2020, Section A, pp. 1, 10 (" ... [T]he coronavirus [is] spreading faster than ever, Pennsylvania reported more than 7,000 new cases Thursday, breaking its record for the third straight day. In just two weeks, Pennsylvania has gone from an average of 2,500 new cases a day to 5,700 cases a day ... . 'The county has now exceeded the highest number of COVID-19 outbreaks since the height of the pandemic.'"). *See also* Pa.R.J.A. No. 1952(B)(2)(d)(h)(i)(k)(l)(q).

[4] *See* Emergency Sheriff Sale Postponement Orders dated March 18, 2020; April 7, 2020; April 28, 2020; May 27, 2020; June 18, 2020; September 10, 2020; and October 20, 2020.

[5] *See* Orders dated March 18, 2020, pp. 8-9; April 1, 2020, p. 9; April 28, 2020, pp. 4-5, 6-8, 12; and May 27, 2020, pp. 1-3 – Pennsylvania Supreme Court, Nos. 531 and 532 Judicial Administration Docket. *See also* Pa.R.J.A. No. 1952(B)(2)(d)(f)(g)(h)(k)(l)(q).

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[7] *See* Orders dated March 16, 2020, p. 2; April 1, 2020, pp. 2-3; April 28, 2020, p. 3; and May 27, 2020 p. 2, Fn. 1 - Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket.