IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 20-9052

NINTH EMERGENCY ORDER REGARDING THE COVID-19 STATE OF DISASTER

ORDERED that:

1. Governor Abbott has declared a state of disaster in all 254 counties in the State of Texas in response to the imminent threat of the COVID-19 pandemic. This order is issued pursuant to Section 22.0035(b) of the Texas Government Code.

2. This Order supersedes the Fourth Emergency Order Regarding the COVID-19 State of Disaster, Misc. Dkt. No. 20-9045, issued March 19, 2020. This Order supplements and does not replace or amend other prior Emergency Orders Regarding the COVID-19 State of Disaster.

3. In any action for eviction to recover possession of residential property under Chapter 24 of the Texas Property Code and Rule 510 of the Texas Rules of Civil Procedure:

   a. No trial, hearing, or other proceeding may be conducted, and all deadlines are tolled, until after April 30, 2020;

   b. A writ of possession may issue, but the posting of the written warning required by § 24.0061(d)(1) of the Property Code and the execution of the writ of possession may not occur until after May 7, 2020, and the deadlines in Rules 510.8(d)(1)-(d)(2) are tolled while this Order remains in effect; and

   c. New filings may be accepted, but the time period in Rule 510.4(a)(10) is suspended, and issuance and service of citation may not occur until after April 30, 2020.

4. A case covered by Paragraph 3 may nevertheless 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.

5. This Order is effective immediately and expires April 30, 2020, unless extended by the Chief Justice of the Supreme Court.

6. The Clerk of the Supreme Court is directed to:

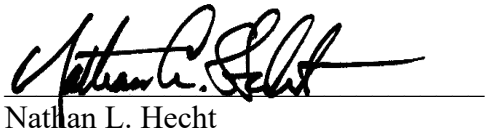
a. post a copy of this Order on www.txcourts.gov;

b. file a copy of this Order with the Secretary of State; and

c. send a copy of this Order to the Governor, the Attorney General, and each member of the Legislature.

7. The State Bar of Texas is directed to take all reasonable steps to notify members of the Texas bar of this Order.

Dated: April 6, 2020



Nathan L. Hecht
Chief Justice