

IN THE CHANCERY COURT FOR ROANE COUNTY, TENNESSEE

ROANE COUNTY, TENNESSEE,

Plaintiff,

vs.

No. 2017-37

DELINQUENT TAXPAYERS as shown on
the 2015 REAL PROPERTY and
2015 PERSONAL PROPERTY DELINQUENT
TAX RECORDS OF ROANE COUNTY,
TENNESSEE,

(2015 Delinquent Tax Suit)

Defendants,

THE CITY OF HARRIMAN, TENNESSEE,
a municipal corporation,

Plaintiff,

VS.

No. 2017-21

DELINQUENT TAXPAYERS as shown on
the 2015 REAL PROPERTY and 2015 PERSONAL
PROPERTY DELINQUENT TAX RECORDS
OF THE CITY OF HARRIMAN, TENNESSEE,

(2015 Delinquent Tax Suit)

Defendants,

THE CITY OF KINGSTON, TENNESSEE,
a Municipal Corporation,

Plaintiff,

vs.

No. 2017-18

DELINQUENT TAXPAYERS as shown on
the 2015 REAL PROPERTY and 2015 PERSONAL
PROPERTY DELINQUENT TAX RECORDS OF
THE CITY OF KINGSTON, TENNESSEE,

(2015 Delinquent Tax Suit)

Defendants

CITY OF ROCKWOOD, TENNESSEE,

Plaintiff,

v.

NO. 2017-38

2015 DELINQUENT TAXPAYERS

(2015 Delinquent Tax Suit)

Defendants,

NOTICE OF ENTRY REQUIRED

ORDER

In these causes, it appearing that the Supreme Court of the State of Tennessee has suspended all in-person proceeding in all state and local courts from the close of business in Friday, March 13, 2020 through Tuesday March 31, 2020 in response to the COVID-19 pandemic and the declared state of emergency for the Judicial Branch of Tennessee government concerning such pandemic in the State of Tennessee,

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED by the Court that tax sale in the above suits scheduled for 10:00 EDT on March 14, 2020 are hereby cancelled.

ENTER this 13 day of March, 2020.


Frank V. Williams, III, Chancellor

APPROVED FOR ENTRY:



Jack H. McPherson, Jr.
Attorney for Roane County,
Harriman City &
Kingston City, Plaintiffs
204 E. Loveliss Street
Kingston, Tennessee 37763
(865) 376-3456
BPR #002222

APPROVED FOR ENTRY:



Greg Leffew
Attorney for City of Rockwood, Plaintiff
109 North Front Avenue
P.O. Box 63
Rockwood, Tennessee 37854
(865) 354-3241
BPR #013585

State of Tennessee
Roane County
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Shannon Conley, Clerk & Master
and Probate Clerk
By Shannon Conley D.C.

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
03/13/2020
Clerk of the
Appellate Courts

IN RE: COVID-19 PANDEMIC

No. ADM2020-00428

ORDER SUSPENDING IN-PERSON COURT PROCEEDINGS

In response to the COVID-19 pandemic, the Chief Justice of the Tennessee Supreme Court hereby declares a state of emergency for the Judicial Branch of Tennessee government and activates the following Continuity of Operations Plan for the courts of Tennessee. See Tenn. Const. Art. VI, § 1; Tenn. Code Ann. §§ 16-3-501 to 16-3-504 (2009); Moore-Pennoyer v. State, 515 S.W.3d 271, 276-77 (Tenn. 2017); Tenn. Sup. Ct. R. 49. First and foremost, the local and state courts of the State of Tennessee are open and will remain open under all circumstances, subject to the provisions of this order.

Under the constitutional, statutory, and inherent authority of the Tennessee Supreme Court, we adopt the following provisions. All in-person proceedings in all state and local courts in Tennessee, including but not limited to municipal, juvenile, general sessions, trial, and appellate courts, are suspended from the close of business on Friday, March 13, 2020 through Tuesday, March 31, 2020, subject to the exceptions below.

Exceptions to this suspension of in-person court proceedings include, but are not limited to:

- Proceedings necessary to protect constitutional rights of criminal defendants, including bond-related matters and plea agreements for incarcerated individuals
- Civil and criminal jury trials that are in progress as of March 13, 2020
- Proceedings related to relief from abuse, including but not limited to orders of protection
- Proceedings related to emergency child custody orders
- Department of Children's Services emergency matters related to child protection
- Proceedings related to petitions for temporary injunctive relief
- Proceedings related to emergency mental health orders
- Proceedings related to emergency protection of elderly or vulnerable persons
- Proceedings directly related to the COVID-19 public health emergency
- Other exceptions as approved by the Chief Justice

The presiding judge or the designee of the presiding judge of each judicial district is authorized to determine the manner in which in-person court proceedings for the exceptions listed above are to be conducted. Other exceptions to the suspension of in-person court proceedings must be approved by the Chief Justice. Any permitted in-court proceedings shall be limited to attorneys, parties, witnesses, security officers, and other necessary persons, as determined by the trial judge.

Judges are charged with the responsibility of ensuring that core constitutional functions and rights are protected. Additionally, court clerks are charged with ensuring that court functions continue. See Tenn. Code Ann. §§ 18-1-101 (2009); 18-1-105 (Supp. 2019). Nevertheless, all judges and court clerks are urged to limit in-person courtroom contact as much as possible by utilizing available technologies, including alternative means of filing, teleconferencing, email, and video conferencing. Any Tennessee state or local rule, criminal or civil, that impedes a judge's or court clerk's ability to utilize available technologies to limit in-person contact is suspended until March 31, 2020. See, e.g., Tenn. R. Civ. P. 43.01.

If it becomes necessary to close judges' offices or court clerks' offices during the period of suspension, these offices shall remain accessible by telephone and email to the extent possible during their regular business hours. If available, drop boxes should be used for conventionally filed documents.

This order expressly does not prohibit court proceedings by telephone, video, teleconferencing, email, or other means that do not involve in-person contact. This order does not affect courts' consideration of matters that can be resolved without in-person proceedings.

Deadlines set forth in court rules, statutes, ordinances, administrative rules, or otherwise that are set to expire between March 13 and March 31, 2020 are hereby extended through April 6, 2020. Statutes of limitations and statutes of repose that would otherwise expire during the period between March 13 and April 6, 2020 are hereby extended through April 6, 2020. See Tenn. Code Ann. § 28-1-116 (2017). Deadlines, statutes of limitations, and statutes of repose that are not set to expire between March 13 and April 6, 2020 are not extended or tolled by this order.

Orders of protection and temporary injunctions that would otherwise expire between March 13 and March 31, 2020 are hereby extended until April 6, 2020.


This order applies statewide to all courts and court clerks' offices except administrative courts within the Executive Branch and federal courts and federal court clerks' offices located in Tennessee.

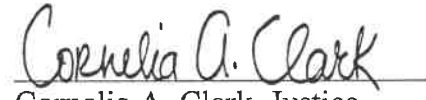
Under the terms of this order, the courts of Tennessee remain open, consistent with the Judicial Branch's obligation to mitigate the risks associated with COVID-19.

This order is intended to be interpreted broadly for protection of the public from risks associated with COVID-19.

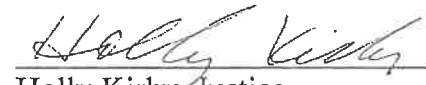
It is so ORDERED.


FOR THE COURT:


Jeffrey S. Bivins, Chief Justice


Cornelia A. Clark, Justice


Sharon G. Lee, Justice


Holly Kirby, Justice


Roger A. Page, Justice

(A) The owner of surface interest who has recorded a declaration of surface ownership according to subdivision (e)(1), and who has received notice of delinquent tax proceedings according to this section may, within one hundred twenty (120) days after the sale pursuant to § 67-5-2501, purchase the mineral interest beneath the owner's tract for a percentage of the total amount of such sale, which percentage shall be derived from the percentage that the owner's surface interest bears to the total surface area of the property connected with the mineral interest sold at such tax sale.

(B) Such surface owner shall tender to the clerk of court such amount, including a pro-rated amount of the penalty and interest paid, at the same percentage rate. The clerk shall, within thirty (30) days of receipt of such amount pay the same amount to the person who purchased the mineral interest at the tax sale. The surface owner shall, in addition, pay the clerk for the clerk's services in such transaction.

(f) Any sale under this section may be adjourned and rescheduled one (1) time for cause without an additional newspaper publication or decree, upon compliance with the following provisions:

(1) The sale must be held within one (1) year of the originally scheduled date;

(2) The postponement or adjournment must be to a specified date and time, and must be posted or announced at the date, time, and location of the scheduled sale date; and

(3) If the postponement or adjournment is for more than thirty (30) days, notice of the new date, time, and location must be mailed no less than ten (10) calendar days prior to the sale date via regular mail to the parties to the suit, with a copy of such notice filed with the clerk of court.

HISTORY:

Acts 1923, ch. 77, § 12; Shan. Supp., § 913b21; Code 1932, § 1596; Acts 1976, ch. 695, § 1; 1980, ch. 629, § 1; T.C.A. (orig. ed.), § 67-2018; Acts 1984, ch. 661, § 1; 1984, ch. 868, § 1; 1987, ch. 282, § 3; 1987, ch. 346, § 8; 1988, ch. 636, §§ 17-19; 1991, ch. 470, § 3; 1994, ch. 579, §§ 2-6; 1996, ch. 787, § 3; 1998, ch. 894, § 1; 2013, ch. 353, § 17; 2014, ch. 599, § 1; 2014, ch. 883, §§ 9, 10; 2015, ch. 213, § 3; 2015, ch. 414, §§ 9, 11; 2017, ch. 299, § 9; 2018, ch. 778, §§ 4, 5.