



In The General Court Of Justice District Court Division

C 0 [Redacted]

STATE OF NORTH CAROLINA Mecklenburg County

NOTE: If DWI, use AOC-CR-312 (active) or AOC-CR-310 (probation). If active sentence to DOC, use AOC-CR-602. If supervised probation, use AOC-CR-604. DOC

### MAGISTRATE'S ORDER - MISDEMEANOR ONLY

Signature Of Magistrate/Deputy/Assistant/CSC

Date

### COURT USE ONLY

Attorney For Defendant At Time Of Trial Or Plea

PRIOR CONVICTIONS:

No. Level: 0 I (0) II (1-4) III (5+)

PLEA:  guilty/resp.  no contest.  guilty/resp.  no contest.  not guilty/resp.  not guilty/resp.

JUDGMENT: The defendant appeared in open court and freely, voluntarily and understandingly entered the above plea; on the above verdict/finding, it is ORDERED that the defendant:  pay costs and a fine/penalty of \$ \_\_\_\_\_ days in custody of the sheriff. Pretrial credit \_\_\_\_\_ days served.  The Court finds that a longer  shorter period of probation than specified in G.S. 15A-1343.2(d) is necessary.  Execution of sentence is suspended and the defendant is placed on unsupervised probation for \_\_\_\_\_ months, subject to the regular conditions of probation and the following:  (1) pay costs and a fine/penalty of \$ \_\_\_\_\_ (2) not operate a motor vehicle until properly licensed by DMV;  (3) complete \_\_\_\_\_ hours of community service within \_\_\_\_\_ days and pay the fee;  (4) Other: \_\_\_\_\_

It is ORDERED that this:  Judgment is continued upon payment of costs.  case be consolidated for judgment with \_\_\_\_\_ sentence is to run at the expiration of the sentence in \_\_\_\_\_ COMMITMENT: It is ORDERED that the Clerk deliver two certified copies of this Judgment and Commitment to the sheriff and that the sheriff cause the defendant to be retained in custody to serve the sentence imposed or until the defendant shall have complied with the conditions of release pending appeal.  The current pretrial release order is modified as follows: \_\_\_\_\_

Signature Of Deputy/Assistant/CSC

Date

I certify that this Judgment is a true copy.

Signature Of District Court Judge

Date

File No. [Redacted]

## NORTH CAROLINA UNIFORM CITATION

Defendant is To Appear in District Court.

1130 Charlotte N.C.

Day Of Week: FRI Month: 10 Day: 16 Year: 09 Time: 9:00  AM  PM

D.L.  D.C.I.  Other No. Of Charges: 1

### THE STATE OF NORTH CAROLINA VS.

Name Of Defendant: \_\_\_\_\_

Address: \_\_\_\_\_

City: Charlotte State: NC Zip: 28227

Drivers License No.: 24927804 State: NC CDL: Class: C

Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Date Of Birth: \_\_\_\_\_ Age: \_\_\_\_\_

Social Security No. Of Defendant: \_\_\_\_\_ Telephone No.: \_\_\_\_\_

Vehicle License No.: \_\_\_\_\_ State: NC

Vehicle Type: P-4 Trailer Type: \_\_\_\_\_ CMV: \_\_\_\_\_ Haz. Mat.: \_\_\_\_\_ Make: \_\_\_\_\_ Year: \_\_\_\_\_

Name And Telephone No. Of Defendant's Employer: \_\_\_\_\_

Date Of Arrest & Check Digit No. (As Shown On Fingerprint Card): \_\_\_\_\_

**ACKNOWLEDGMENT/NONRESIDENT PERSONAL RECOGNIZANCE FOR APPEARANCE**

I acknowledge receipt of this Citation  and I promise to appear in the named court at the time and place designated herein to answer the charge(s). I understand that my failure to appear or to dispose of this Citation by other acceptable legal means, such as waiver, will result in my operator's license issued by my state of residence being suspended until I have done so. Also, I may go before a magistrate and make bail in lieu of my personal recognizance.

Date: \_\_\_\_\_ Signature Of Defendant: \_\_\_\_\_

### DEPARTMENTAL USE ONLY

Officer: \_\_\_\_\_ No. \_\_\_\_\_ Troop \_\_\_\_\_ District \_\_\_\_\_

SHP Code:  N.C. Patrol  \_\_\_\_\_

Area: R C C L Wea. \_\_\_\_\_ Vis. \_\_\_\_\_ Traffic \_\_\_\_\_ Accident \_\_\_\_\_ Speed: A-40

On Highway No./Street: \_\_\_\_\_  Injury Or Serious Injury  Passenger(s) Under 16

In Vicinity/City Of: Charlotte At/Near Intersection: \_\_\_\_\_

Wil. \_\_\_\_\_ Chemical Analyst: \_\_\_\_\_  AC  Refused

The undersigned officer has probable cause to believe that on or about Sunday 22nd (a.) (p.) m. the 16th day of Sept 2009, in the named county, the named defendant did unlawfully and willfully operate a (motor) vehicle on a (street or highway) (public vehicular area).

1. At a speed of \_\_\_\_\_ MPH in a \_\_\_\_\_ MPH zone G.S. 20-141.77.  work zone. G.S. 20-141(2). 88.  school zone. G.S. 20-141.1.

2. In forward motion without having the provided seat belt properly fastened about the defendant's body G.S. 20-135.2A.

3. By transporting a passenger of less than 16 years of age without having the passenger in a (weight appropriate child passenger restraint system) (seat belt). G.S. 20-137.1.

4. By transporting a child of less than five years of age and less than 40 pounds in weight without the child being secured in the rear seat, when the vehicle was equipped with an active passenger-side front air bag and the vehicle had a rear seat. G.S. 20-137.1(a1).

5. While subject to an impairing substance. G.S. 20-138.1.

6. Without being licensed as a driver by the Division of Motor Vehicles of North Carolina. G.S. 20-7(a).

7. While the defendant's drivers license was revoked. G.S. 20-28.

8. While displaying an expired registration plate on the vehicle knowing the same to be expired. G.S. 20-111(2).

9. Without (displaying thereon a current approved inspection certificate) (having a current electronic inspection authorization for the vehicle), such vehicle requiring inspection in North Carolina. G.S. 20-183.8. Month Expires: \_\_\_\_\_

10. By failing to see before (starting) (stopping) (turning from a direct line) that such movement could be made in safety. G.S. 20-154.

11. By failing to stop at a duly erected (stop sign) (flashing red light). G.S. 20-158(b)(1). (b)(3).

12. By entering an intersection while a traffic signal was emitting a steady red circular light for traffic in defendant's direction of travel. G.S. 20-158(b)(2).

13. Without having in full force and effect the financial responsibility required by G.S. 20-313. The defendant was the owner of the motor vehicle that was (registered) (required to be registered) in this State. G.S. 20-313.

14. (Possess an open container of) (Consume) an alcoholic beverage in the passenger area of a motor vehicle. G.S. 20-138.7(a1). [NOTE: Strike "operate a (motor) vehicle" and "(public vehicular area)" above.]

15. Without decreasing speed as necessary to avoid colliding with a (vehicle) (person). G.S. 20-141(m).

16. Passing in a No Passing Zone - By overtaking and passing another vehicle proceeding in the same direction on a portion of the road marked by the NOT with markings clearly indicating passing should not be attempted. (G.S. 20-150(e)).

17. And on or about the date and time shown above in the named county, the named defendant did unlawfully and willfully operate a (motor) vehicle on a (street or highway) (public vehicular area)

Date: 9-13-09 Signature Of Officer: \_\_\_\_\_

DEFENDANT'S COPY (SEE IMPORTANT NOTICE ON REVERSE)