

<b>File No.</b>	<b>Law Enforcement Case No.</b>	<b>LID No.</b>	<b>SID No.</b>	<b>FBI No.</b>																					
<b>CRIMINAL SUMMONS MISDEMEANOR WORTHLESS CHECK</b>		<b>STATE OF NORTH CAROLINA</b>																							
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<b>THE STATE OF NORTH CAROLINA VS.</b>		To the Defendant:																							
<i>Name And Address Of Defendant</i>		I, the undersigned, find that there is probable cause to believe that on or about the date of offense shown and in the county named above the defendant named above unlawfully and willfully did draw, make, utter and issue and deliver to _____ a check drawn upon (name of financial institution) _____ of (city and state of financial institution) _____, for the payment of \$ _____ in money. The check was made payable to _____ and was dated _____. The defendant knew at the time he/she: (check one) <input type="checkbox"/> did not have sufficient funds on deposit or credit with the bank with which to pay the check on presentation in violation of G.S. 14-107(a)(1). <input type="checkbox"/> had previously presented the check or draft for the payment of money or its equivalent in violation of G.S. 14-107(a)(2).																							
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If this Criminal Summons is not served within ninety (90) days or by the date the defendant is directed to appear, whichever is earlier, it must be returned to the Clerk of Court in the county in which it was issued with the reason for the failure of service noted thereon.

District Attorney  
 Waived  
 Not Indigent  
 Denied

Attorney For Defendant  
 Appointed  
 Retained

**PRIOR CONVICTIONS:**  
 No./Level: 0  I (0)  II (1-4)  III (5+)

**RETURN OF SERVICE**

I certify that this Criminal Summons was received and served as follows:

Date Received	Date Served	Time Served	Date Returned
		<input type="checkbox"/> AM <input type="checkbox"/> PM	

By personally serving this Criminal Summons on the defendant.

This Criminal Summons WAS NOT served for the following reason:

Signature Of Officer Making Return \_\_\_\_\_ Name Of Officer (Type Or Print) \_\_\_\_\_

Department Or Agency Of Officer \_\_\_\_\_

**REDELIVERY/REISSUANCE**

Date	Signature	<input type="checkbox"/> Dep. CSC <input type="checkbox"/> Assist. CSC <input type="checkbox"/> CSC
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The above clerk finds the following cause to set a court date more than one month from reissue:

**RETURN FOLLOWING REDELIVERY/REISSUANCE**

I certify that this Criminal Summons was received and served as follows:

Date Received	Date Served	Time Served	Date Returned
		<input type="checkbox"/> AM <input type="checkbox"/> PM	

By personally serving this Criminal Summons on the defendant.

This Criminal Summons WAS NOT served for the following reason:

Signature Of Officer Making Return \_\_\_\_\_ Name Of Officer (Type Or Print) \_\_\_\_\_

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**APPEAL ENTRIES**

The defendant, in open court, gives notice of appeal to the  
 District Court  Superior Court.  
 The current pretrial release order is modified as follows:

Date \_\_\_\_\_ Signature Of District Court Judge/Magistrate \_\_\_\_\_

**PLEA:**  guilty  no contest \_\_\_\_\_ **VERDICT:**  guilty \_\_\_\_\_ M.CL.  1  2  3  
 not guilty \_\_\_\_\_  not guilty \_\_\_\_\_

**JUDGMENT:** The defendant appeared in open court and freely, voluntarily and understandingly entered the above plea; on the above verdict it is **ORDERED** that the defendant:  pay costs and a fine of \$ \_\_\_\_\_.  
 be imprisoned for a term of \_\_\_\_\_ days in the custody of the  sheriff.  MCP.  DAC.\* Pretrial credit \_\_\_\_\_ days served.  
 Work release  is recommended.  is not recommended. [ is ordered. (use form AOC-CR-602)]  
 The Court finds that a  longer  shorter period of probation, than that which is specified in G.S. 15A-1343.2(d), is necessary.  
 Execution of the sentence is suspended and the defendant is placed on unsupervised probation\* for \_\_\_\_\_ months, subject to the following conditions: 1. commit no criminal offense in any jurisdiction. 2. possess no firearm, explosive or other deadly weapon listed in G.S. 14-269. 3. remain gainfully and suitably employed or faithfully pursue a course of study or of vocational training, that will equip the defendant for suitable employment, and abide by all rules of the institution. 4. satisfy child support and family obligations, as required by the Court. 5. pay to the Clerk the costs of court and any additional sums shown below.

Fine \$	Restitution** \$	Attorney's Fee \$	Community Service Fee \$	Other \$
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\*\*Name(s), address(es), and amount(s) for aggrieved party(ies) to receive restitution: **NOTE TO CLERK:** Record SSN or Tax ID No. of aggrieved party(ies) on AOC-CR-382, "Certification Of Identity (Victims' Restitution)/Certification Of Identity (Witness Attendance)."

- 6. complete \_\_\_\_\_ hours of community service during the first \_\_\_\_\_ days of probation, as directed by the judicial services coordinator, and pay the fee prescribed by G.S. 143B-708 within \_\_\_\_\_ days.
- 7. not be found in or on the premises of the complainant or \_\_\_\_\_.
- 8. not assault, communicate with or be in the presence of the complainant or \_\_\_\_\_.
- 9. refrain from maintaining a checking account or making or uttering a check for three years.
- 10. 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.

Date	Name Of District Court Judge/Magistrate (Type Or Print)	Signature Of District Court Judge/Magistrate
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**CERTIFICATION**

I certify that this Judgment is a true and complete copy of the original which is on file in this case.

Date	Date Delivered To Sheriff	Signature	<input type="checkbox"/> Dep. CSC <input type="checkbox"/> Asst. CSC <input type="checkbox"/> CSC
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## INSTRUCTIONS TO DEFENDANT

*(only the checked block applies)*

*(Check this option if this is a fourth or subsequent offense.)*

1. **You must appear** before a judge in District Court at the time and place specified on the front side. You may not plead guilty and pay the fine and costs before Court because of the nature of the offense.

*(Check this option if this is not a fourth or subsequent offense.)*

2. **You do not have to appear** in Court at the time and place specified if you waive your trial, plead Guilty and pay the amounts shown below for fine, court costs and restitution. You may do so by mail or in person so long as your payment is received by 5:00 p.m. on the last working day prior to your scheduled court date.

**Date and sign this form in the space provided below and return this form and your payment as follows:**

**(NOTE TO DEFENDANT:** *Waiver under this section is not available if Option 1 is checked above.*)

**Payment By Mail** - Place your payment and this form in an envelope, affix a stamp and mail to: Clerk of Superior Court, \_\_\_\_\_, County Courthouse, \_\_\_\_\_, North Carolina \_\_\_\_\_. Payment must be made by **certified check, cashier's check or money order** payable to the Clerk of Superior Court. **Do not mail cash.**

**PERSONAL CHECKS WILL NOT BE ACCEPTED.**

**Payment In Person** - Deliver your payment and this form to the office of the Clerk of Superior Court at the above address during regular business hours or to any magistrate of the above county. Payment must be made by **cash, certified check, cashier's check or money order** payable to the Clerk of Superior Court. You may also pay by credit card, in person, in the clerk's office.

**PERSONAL CHECKS WILL NOT BE ACCEPTED.**

**If you wish to contest the charge or the amount of your fine or restitution obligation, you must appear in person** at the time and place specified on the front side for a trial before a judge in District Court or before a magistrate of this county. If your trial is before a magistrate and you then wish to contest the magistrate's decision, you may appeal for a trial before a judge in District Court. The time and place for the trial of your appeal will be set by the magistrate.

**WARNING:** If you decide to plead Guilty, you should mail or deliver your payment **promptly** to minimize your court costs. If you delay entering your plea and making the specified payment, you may be liable for the costs of serving subpoenas on witnesses plus witness fees.

### WAIVER OF TRIAL - PLEA OF GUILTY - CONSENT TO ENTRY OF JUDGMENT

I acknowledge that I have been charged by the complainant indicated on the front side with a violation of G.S. 14-107 (worthless check).

I understand that I am presumed by law to be Not Guilty until proven Guilty beyond a reasonable doubt. Nevertheless, I do hereby waive my constitutional rights to a trial in open court, to confront the witnesses against me, and to representation by an attorney.

I hereby plead Guilty to this offense and tender to the Court the sums listed below as payment of the fine, costs and restitution in this case.

Amount Of Fine	Court Costs	Restitution	Total Amount Due
\$	\$	\$	\$

Name(s) And Address(es) Of Person(s) To Receive Restitution

I request that the Court accept my waiver of trial, plea of Guilty and tender of fine, costs and restitution, and that a verdict of Guilty be entered. This request is made with the full understanding that a verdict of Guilty will be entered against my record, and it will have the same legal effect for all purposes as a verdict of Guilty after a trial.

Date	Signature Of Defendant
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