

STATE OF NORTH CAROLINA

File No.

County

In The General Court Of Justice
District Superior Court Division

STATE VERSUS

DETAINER CONTAINING NOTICE OF RIGHTS

G.S. 15A-711

CHARGES PENDING FOR TRIAL

Table with 2 columns: File No., Offense(s)

See Additional Charges Pending For Trial on Side Two.

PROSECUTOR'S REQUEST

To The Clerk Of Superior Court Of The Above Named County

Please transmit to the custodian of the institution in which the above named defendant is confined a copy of the charges filed against the defendant in this case and a detainer directing that the defendant be held to answer those charges.

Date Signature Of Prosecutor District Attorney Assistant District Attorney

DETAINER

TO: Department Of Adult Correction Sheriff Of County

The defendant named above is confined in a penal or other institution under your control and his/her presence is required for trial in the county named above on the attached charges, which are described above. (Attach copy of charges.)

Upon the above request, the custodian of the institution where the defendant is confined is DIRECTED to hold the defendant to answer those charges. The custodian must deliver copies of this Detainer and the attached charges to the prisoner immediately upon receipt of them and must explain to the prisoner his/her right to proceed under G.S. 15A-711(c) which is set out below.

G.S. 15A-711(d)(3) requires that you inform the clerk of superior court of the above county of the defendant's impending release at least thirty (30) days before the date of release, or immediately if this Detainer is received less than thirty (30) days before the date of release.

Date Signature Deputy CSC Assistant CSC Clerk Of Superior Court

NOTICE OF PRISONER'S RIGHTS UNDER G.S. 15A-711(c)

A defendant who is confined in an institution in this State pursuant to a criminal proceeding and who has other criminal charges pending against him may, by written request filed with the clerk of the court where the other charges are pending, require the prosecutor prosecuting such charges to proceed pursuant to G.S. 15A-711. A copy of the request must be served upon the prosecutor in the manner provided by the Rules of Civil Procedure, G.S. 1A-1, Rule 5(b). If the prosecutor does not proceed pursuant to G.S. 15A-711(a) within six months from the date the request is filed with the clerk, the charges must be dismissed.

NOTE TO CLERK OF SUPERIOR COURT: If defendant is confined in an institution under the control of the Department of Adult Correction, transmit to NC Department of Adult Correction, Combined Records, Courier Box 53-71-00, or mail to NC Department of Adult Correction, Attn: Combined Records, 4226 Mail Service Center, Raleigh 27699-4226. If defendant is confined in a jail or other local detention facility, transmit to the sheriff of the county in which the defendant is confined.

Original - Custodian Copy - District Attorney Copy - File (Over)

