STATE OF NORTH CAROLINA

File No.

_____ County

In The General Court Of Justice
☐ District ☐ Superior Court Division

STATE VERSUS

Name Of Defendant			
Drivers License No.	State	Race	Sex
Date Of Birth	Full Social Security No.	Age At Time Of Offense	

REQUEST FOR REPORT OF CONDITIONAL DISCHARGE

G.S. 15A-151

Attorney For State	☐ Def. Found Not Indigent ☐ Def. Waived Attorney	Attorney For Defendant	☐ Appointed ☐ Retained	Crt Rptr Initials

Request for defendant's court appearance on *(date)* _____.

COURT'S FINDINGS AND REQUEST

The Court hereby finds that:

1. The defendant has been charged with an offense that may qualify the defendant for a conditional discharge under: *(one of the following **must** be checked)* ☐ G.S. 90-96. ☐ G.S. 90-113.14. ☐ G.S. 14-50.29. ☐ G.S. 14-204. ☐ G.S. 14-277.8. ☐ G.S. 14-313. ☐ G.S. 15A-1341.
2. In the absence of a prior conditional discharge or placement on probation that would disqualify the defendant, he/she is otherwise eligible for such conditional discharge under the statute identified.
3. It is therefore requested pursuant to G.S. 15A-151(a)(1) that the Administrative Office of the Courts complete the Report below and return it to the Clerk of Superior Court, Attn: Presiding Judge.

Date	Name Of Presiding Judge (type or print)	Signature Of Presiding Judge

JOINT REQUEST BY STATE AND DEFENSE

NOTE: *A joint request by the State and defense for a report of prior dismissals pursuant to conditional discharges does not require a signature of the presiding judge.*

1. The defendant has been charged with an offense that may qualify the defendant for a conditional discharge under: *(one of the following **must** be checked)* ☐ G.S. 90-96. ☐ G.S. 90-113.14. ☐ G.S. 14-50.29. ☐ G.S. 14-204. ☐ G.S. 14-277.8. ☐ G.S. 14-313. ☐ G.S. 15A-1341.
2. In the absence of a prior conditional discharge or placement on probation that would disqualify the defendant, he/she is otherwise eligible for such conditional discharge under the statute identified.
3. The State and defense therefore jointly request pursuant to G.S. 15A-151(a)(9) that the Administrative Office of the Courts complete the Report below and return it to the Clerk of Superior Court, Attn: Presiding Judge.

Date	Signature Of Prosecutor	☐ District Attorney ☐ Assistant DA	Date	Signature For Defense	☐ Defendant ☐ Atty For Defendant

NOTE TO COURT OR PARTIES: *File this Request with the Clerk's office in the appropriate county.*

NOTE TO CLERK'S OFFICE: *Follow these procedures to submit this form for processing:*

Step 1: The top section and the request portion of the form (either the court's request or the joint request) must be completed before it is filed with the clerk's office. The form may be received in any of the following manners: the **judge** may task the form to the county CD and 237 queue; the **DA** may task the form to the county CD and 237 queue; the **public defender** may task the form to the county CD and 237 queue; the **defense counsel** may submit the form via File & Serve (OFS) (after obtaining a signature from the DA's office).
The filing codes for the Req-CD events *(see Req-CD Event Listing below)* are available in OFS and should be selected to match the statute selected on the form. If a form is received via OFS that needs to be signed by a judge, it should be accepted as a Proposed Order.

Step 2: After the request portion of this form has been completed (i.e., defendant information is complete, all signatures are in place, the statute is checked), open the case in the ICMS. Click on the Events tab and click + to add an event. Select the appropriate request event from the dropdown based on the statute checked on the form and click Save. *(See Req-CD Event Listing below. If you accepted a filing through OFS with the wrong filing code, please add a new event rather than modifying the original event; otherwise, the NCAOC Expunction Unit will not be notified of this request.)* Attach the AOC-CR-237 form to this event and save the case record; doing so will trigger a task to the CR-237 Request Queue of the AOC Expunction Unit. Forms should not be submitted via fax or email.

Req-CD Event Listing: Req-CD 1st Offender < 20 14-277.8 Req-CD Drug Offense 90-96 Req-CD Gang Offense Less than 18 14-50.29 Req-CD Misd or Class H or I Felony 15A-1341 Req-CD Prostitution 14-204 Req-CD Toxic Vapors 90-113.14 Req-CD Youth Access to Tobacco Prod 14-313

REPORT BY ADMINISTRATIVE OFFICE OF THE COURTS

To Any Presiding Judge In The Above-Named County And Court: *(Confidential)*

I have searched the confidential file containing the names of all persons granted conditional discharges in North Carolina and certify that

☐ there is no record under the name of the defendant of any conditional discharge under any statute of North Carolina.
☐ there is a record under the name of the defendant identified above and it is attached to this form.

Date	Name Of Records Officer (type or print)	Signature Of Records Officer
	Courtney Bailey	

NOTE TO CLERK: *If this is a joint request by the State and defense, email the completed form and any report from the Expunction Unit to the DA and defense counsel (or the defendant, if unrepresented) using encryption. This report from the NCAOC will be attached to the Req-CD event and will have a document security of "CD Request Response." Upon disposition of the charge(s) and expiration of the deadline for appeal, click on the Documents tab and right-click on the AOC-CR-237 and select Obsolete. If the NCAOC provided a match report in response to the Court's request, also obsolete that document.*

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