

# STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice  
Superior Court Division

\_\_\_\_\_ County

## APPEARANCE BOND FOR RELEASE AFTER JUDGMENT IN SUPERIOR COURT

G.S. 15A-531, 15A-534, 15A-536, 15A-544.2

Name And Mailing Address Of Defendant

Telephone No. Of Defendant

Total Bond Required

\$

Amount Of This Bond

\$

Release Order No.

#

File Numbers And Offenses

See *Additional File Numbers And Offenses* on Side Two, for which appearance is secured by this Bond.

**Unsecured Appearance Bond** - I, the undersigned defendant, acknowledge that my personal representatives and I are bound to pay the State of North Carolina the sum shown above, subject to the conditions of this Bond stated on the reverse side.

**Cash Appearance Bond By Defendant (See notes on reverse side.)** - I, the undersigned defendant, acknowledge that I am bound to pay the State of North Carolina the sum shown above, and hereby deposit the cash identified below as security with the understanding that the deposit will be returned upon the Court's determination that the conditions of release have been performed, subject to the conditions of this Bond stated on the reverse side, and that it will be available to satisfy my obligations.

**Defendant's Property Appearance Bond** - I, the undersigned defendant, acknowledge that I am bound to pay the State of North Carolina the sum shown above, subject to the conditions of this Bond stated on the reverse side, and as security for said Bond have executed a mortgage or deed of trust to real or personal property, payable to the State of North Carolina and with power of sale conditioned upon the breach of any condition of this Bond.

**Surety Appearance Bond** - We, the undersigned, jointly and severally acknowledge that we and our personal representatives are bound to pay the State of North Carolina the sum shown above, subject to the conditions of this Bond stated on the reverse side. Any undersigned professional bondsman, bail agent, or runner attests that the AFFIDAVIT on the reverse side is complete and true. If a cash deposit is indicated below, surety(ies) has deposited the cash to secure the obligation as surety(ies) on this Bond with the understanding that the deposit will be returned to the surety(ies) upon termination of that obligation as provided by law, and that it will NOT be available to satisfy defendant's obligations. **(For cash bond, see notes on reverse side.)**

### ACCOMMODATION BONDSMAN

See attached AOC-CR-238A for additional accommodation bondsmen executing this Bond.

Name And Address Of Accommodation Bondsman

Name And Address Of Accommodation Bondsman

Telephone No.

Telephone No.

### PROFESSIONAL BONDSMAN

Name Of Bondsman

Name Of Runner, If Applicable

License No. Of Bondsman

Telephone No.

License No. Of Runner

Telephone No.

### INSURANCE COMPANY

Name Of Insurance Company

Name Of Bail Agent

Power Of Appointment No. Of Bail Agent

License No. Of Bail Agent

Telephone No.

### SIGNATURES

Date Of Execution Of Bond

Signature Of Defendant (required for all appearance bonds)

Signature Of Surety

Signature Of Surety

### SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

Date

Signature

Magistrate  Deputy CSC  Assistant CSC  Clerk Of Superior Court

Custodian Of Detention Facility [G.S. 15A-537(c)]

### SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

Date

Signature

Magistrate  Deputy CSC  Assistant CSC  Clerk Of Superior Court

Custodian Of Detention Facility [G.S. 15A-537(c)]

### COMPLETE IF CASH DEPOSITED

Signature Of Official Accepting Cash

Name Of Official Accepting Cash (type or print)

Receipt No.

**NOTE: If cash deposited, see notes on reverse side.**

Original - File  
(Over)

**CONDITIONS**

The guilt of the defendant named above has been established in the superior court and the defendant is either awaiting sentence or has filed an appeal from the judgment entered. The conditions of this Bond are that the above-named defendant shall appear in the above-entitled action(s) whenever required. It is agreed and understood that this Bond is effective and binding upon the defendant and each surety until commencement of any sentence imposed in a final judgment of conviction in the above-entitled action(s) or until terminated by order of the court. If the defendant appears as ordered, then the bond is to be void, but if the defendant fails to appear as required, the Court will forfeit the bond pursuant to Part 2 of Article 26 of Chapter 15A of the General Statutes.

Each accommodation bondsman, by signing on the reverse or on the attached AOC-CR-238A, states: "I have reached the age of 18 years and am a bona fide resident of North Carolina. Aside from love and affection and release of the above named defendant, I have received no consideration for acting as surety. I own sufficient property over and above all liabilities, homestead and other exemptions allowed me by law to enable me to pay this Bond should it be ordered forfeited. I understand that if I sign this Bond without sufficient property, I am guilty of a crime."

**ADDITIONAL FILE NUMBERS AND OFFENSES**

Additional File Numbers And Offenses

See Additional File Numbers And Offenses on attached AOC-CR-238A, Side Two, for which appearance is secured by this Bond.

**AFFIDAVIT**

**NOTE:** "Professional bondsmen, surety bondsmen [bail agents], and runners shall file with the clerk of court having jurisdiction over the principal an affidavit on a form furnished by the Administrative Office of the Courts." G.S. 58-71-140(d). Check all options that apply.

- 1. I have not, nor has anyone for my use, been promised or received any collateral, security or premium for executing this Bond.
- 2. I have been promised a premium in the amount shown below, which is due on the date shown below.
- 3. I have received a premium in the amount shown below.
- 4. I have been given collateral security by the person named below, of the nature and in the amount shown below.

Amount Of Premium Promised \$	Date Premium Due	Amount Of Premium Received \$	<b>AFFIX BONDSMAN'S SEAL OR POWER OF ATTORNEY CERTIFICATE HERE</b>
Name Of Person From Whom Collateral Received	Nature Of Collateral	Value	

**RETURN OF CUSTODIAN OF DETENTION FACILITY**

The defendant named on the reverse was released from my custody on the date shown below upon the execution of this Appearance Bond.

Date Defendant Released	Name Of Custodian (type or print)	Signature Of Custodian	<input type="checkbox"/> Sheriff	<input type="checkbox"/> Deputy Sheriff
			<input type="checkbox"/> Other _____	

**NOTES ON CASH BONDS:**

- (1) **To Official Taking The Bond.** Use this form for all cash bonds. Complete this form as follows:  
**When Cash Deposited By Defendant Or By Another Person Who Intends For The Cash To Be Used To Satisfy The Defendant's Obligations.**  
Enter defendant's name, address and telephone number at the top of Side One. Check "Cash Appearance Bond By Defendant." Have defendant sign. Do no more. No other person's name should appear on this form. Enter your name, sign and enter receipt number under "Complete If Cash Deposited." Make receipt out to DEFENDANT, not to any other person.  
**When Cash Deposited By Another Person Who Does NOT Intend For The Cash To Be Used To Satisfy The Defendant's Obligations.**  
Enter defendant's name, address and telephone number at the top of Side One. Check "Surety Appearance Bond." Have defendant sign. Enter name, address and telephone number of person depositing cash under "Accommodation Bondsman." Have that person sign under "Signature Of Surety." Complete notarization for that person. Enter your name, sign and enter receipt number under "Complete If Cash Deposited." Make receipt out to person depositing the cash.
- (2) **To Bookkeeper.** If case disposed without forfeiture, disburse cash as follows: (1) If "Cash Appearance Bond By Defendant" checked on Side One, disburse to defendant or apply to defendant's obligations if court so orders. (2) If "Surety Appearance Bond" is checked on Side One, disburse only to the person(s) named under "Accommodation Bondsman."
- (3) **Bond By Insurance Company Or Professional Bondsman As Surety Is Same As Cash Except In Child Support.** G.S. 15A-531(4) provides that an appearance bond executed by an insurance company or a professional bondsman (or a bail agent or runner on behalf of one of those sureties) is considered the same as a cash deposit, except in child support contempt proceedings for which only cash may satisfy a cash bond requirement.