

# STATE OF NORTH CAROLINA

File No.

\_\_\_\_\_ County

In The General Court Of Justice

 Before the Clerk  District  Superior Court Division**IN THE MATTER OF**

Name And Address Of Contemnor

**DIRECT CRIMINAL CONTEMPT/  
SUMMARY PROCEEDINGS/  
FINDINGS AND ORDER**

Race Sex Date Of Birth Age

G.S. 5A-11, -12, -13, -14

Spoken Language Court Interpreter Needed For Any Party, Victim, Or Witness? (If Yes, identify person(s) and language(s). Interpreters provided for all court proceedings at no cost.)

 No  Yes: (explain)Date Time  AM  PM Place

On the date, time and place of hearing as stated above, the undersigned judicial official conducted:

- |   |   |                                       |
|---|---|---------------------------------------|
| <input type="checkbox"/> an initial appearance      | <input type="checkbox"/> a probable cause hearing | <input type="checkbox"/> a trial      |
| <input type="checkbox"/> a first appearance         | <input type="checkbox"/> an estates proceeding    | <input type="checkbox"/> other: _____ |
| <input type="checkbox"/> a pre-trial motion hearing | <input type="checkbox"/> a special proceeding     |                                       |

The Court finds beyond a reasonable doubt that during the proceeding the above contemnor willfully behaved in a contemptuous manner, in that the above named contemnor did

The undersigned gave a clear warning that the contemnor's conduct was improper. In addition, the contemnor was given summary notice of the charges and summary opportunity to respond.

**(NOTE: The contemnor should be given an opportunity to explain his/her behavior, however the contemnor is not entitled to counsel, if court promptly punishes act of contempt.)**

The contemnor's conduct interrupted the proceedings of the court and impaired the respect due its authority.

Therefore, it is adjudged that the above named contemnor is in contempt of court. It is ordered that the contemnor

**NOTE TO COURT: If suspending a sentence for contempt, impose judgment on form AOC-CR-604.**

- be censured for contempt.
- shall pay a fine of \$ \_\_\_\_\_ (max. \$500.00).  shall pay the costs of court.
- be imprisoned for a term of \_\_\_\_\_  hours  days in the custody of the  Sheriff  Other: \_\_\_\_\_
- The contemnor shall be given credit for \_\_\_\_\_ days' pretrial confinement.  Work release is recommended.
- This sentence shall run at the expiration of the sentence imposed in file number \_\_\_\_\_.

Date Name Of Judicial Official (type or print) Signature Of Judicial Official

**ORDER OF COMMITMENT/APEAL ENTRIES**

- It is ORDERED that the Clerk deliver **two** certified copies of this Findings and Order to the sheriff or other qualified officer and that the officer cause the contemnor to be delivered with these copies to the custody of the sheriff of the county named above to serve the sentence imposed or until the contemnor shall have complied with the conditions of release pending appeal.
- The contemnor gives notice of appeal from this Findings and Order to the Superior Court.
- The contemnor gives notice of appeal from this Findings and Order in the Superior Court to the appellate division. Appeal entries and any conditions of post conviction release are set forth on form AOC-CR-350.

**NOTE TO COURT: If finding of contempt was made by a judicial official inferior to a Superior Court Judge, the appeal is to Superior Court. G.S. 5A-17. On appeal from criminal contempt imposing confinement, there must be a bail hearing "within a reasonable time period" after confinement is imposed. The contemnor may not be confined more than 24 hours without a bail hearing. See G.S. 5A-17(b) for officials who may conduct the hearing.**

Date Name Of Judicial Official (type or print) Signature Of Judicial Official

**CERTIFICATION**

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

Date Signature **SEAL**Date Certified Copies Delivered To Sheriff  Deputy CSC  Assistant CSC  Clerk Of Superior Court