

# STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice

 District  Superior Court Division

County

**STATE VERSUS**

Name And Address Of Defendant

**ORDER OF SUSPENSION OF PUBLIC BENEFITS  
FOR ABSCONDER  
(For Use With Supervised Probationers Only)**

G.S. 15A-1345(a1)

Race Sex Date Of Birth Age Social Security No. (Last 4 Digits) Drivers License No. &amp; State

**FINDINGS OF FACT**

The undersigned judge finds the following:

1. The above named defendant is serving a suspended sentence in the file number set out above.
2. On (date) \_\_\_\_\_, the court issued an order for arrest for the above named defendant for an alleged violation of the conditions of the defendant's probation in the above captioned case.
3. The above named defendant is (select one)
  - a. alleged in a violation report dated (date) \_\_\_\_\_ to be absconding under G.S. 15A-1343(b)(3a) by willfully avoiding supervision or by willfully making the defendant's whereabouts unknown to the supervising probation officer.
  - b. willfully avoiding arrest.

**CONCLUSIONS OF LAW**

Based on the foregoing findings of fact, the undersigned judge concludes that it is appropriate to order the suspension of (select one)

- 1. all of the public assistance benefits received by the above named defendant.
- 2. all of the public assistance benefits received by the above named defendant, **except** for the following: (specify public assistance benefits, as defined in G.S. 15A-1345(a1), that shall not be suspended)

**ORDER**

Based on the foregoing findings of fact and conclusions of law, the undersigned judge hereby Orders that

1. (select one)
  - a. all of the public assistance benefits received by the above named defendant shall be suspended.
  - b. all of the public assistance benefits received by the above named defendant shall be suspended, **except** for the following: (specify public assistance benefits, as defined in G.S. 15A-1345(a1), that shall not be suspended)
2. The Division of Community Supervision and Reentry of the Department of Adult Correction shall notify the appropriate agency(ies) of this suspension of benefits in order to facilitate the enforcement of this Order.
3. In accordance with G.S. 15A-1345(a1), this suspension of benefits shall remain in effect until such time as the above named defendant surrenders to or is otherwise brought under the jurisdiction of the court.

**SIGNATURE OF JUDGE**

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

**CERTIFICATION**

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

Date Of Certification Signature  Deputy CSC  Asst. CSC  Clerk Of Superior Court**SEAL**

**NOTE TO COURT:** "The court may order the suspension of any public assistance benefits that are being received by a probationer for whom the court has issued an order for arrest for violation of the conditions of probation but who is absconding or otherwise willfully avoiding arrest. The suspension of benefits shall continue until such time as the probationer surrenders to or is otherwise brought under the jurisdiction of the court. For purposes of this section, the term "public assistance benefits" includes unemployment benefits, Medicaid or other medical assistance benefits, Work First Family Assistance, food and nutrition benefits, any other programs of public assistance under Article 2 of Chapter 108A of the General Statutes, and any other financial assistance of any kind being paid to the probationer from State or federal funds. Nothing in this subsection shall be construed to suspend, or in any way affect the eligibility for, any public assistance benefits that are being received by or for the benefit of a family member of a probation violator." G.S. 15A-1345(a1).