

STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice
Superior Court Division
Before The Clerk

County

IN THE MATTER OF

Full Name And Address Of Ward

ORDER ON
MOTION IN THE CAUSE FOR
RESTORATION TO COMPETENCY

G.S. 35A-1130, -1295

This matter is before the Court on a motion in the cause to restore the ward to competency. This Court has jurisdiction of the subject matter of this proceeding and of the person of the ward; a copy of the Motion In The Cause and a notice of this hearing were properly served on all persons entitled thereto; and this county is a proper venue.

Trial By Court

A hearing was held before the Court and, after hearing evidence, the Court does does not find by a preponderance of the evidence that the ward is competent.

Trial By Jury

A hearing was held before the Clerk of Superior Court and a jury of six persons. After hearing the evidence and the instructions of the Court, and upon deliberation, the jury did did not find by a preponderance of the evidence that the ward is competent.

ORDER

- The motion is allowed and it is adjudged that the ward is competent; it is ORDERED that the ward is restored to competency. The ward is authorized to manage his/her affairs, make contracts, control and sell his/her property, both real and personal, and exercise all rights as if he/she had never been adjudicated incompetent.
The motion is denied.

Pursuant to G.S. 35A-1116, costs are: waived. taxed to: petitioner. ward.

NOTE: When the ward is restored to competency pursuant to G.S. 35A-1130, every guardianship shall be terminated and all Article 9, Chapter 35A powers and duties of the guardian shall cease. However, a guardian of the estate or a general guardian is still responsible for all accountings required by Article 10 of Chapter 35A until the guardian is discharged by the clerk. G.S. 35A-1295. "Within 60 days after a guardianship is terminated under G.S. 35A-1295, the guardian shall file a final account for the period from the end of the period of his most recent annual account to the date of that event. If the clerk, after review of the guardian's account, approves the account, the clerk shall enter an order discharging the guardian from further liability." G.S. 35A-1266.

Date Signature Assistant CSC Clerk Of Superior Court

NOTE TO CLERK: If the ward is adjudicated restored to competency, then in all cases send a certified copy of this Order to the Division of Motor Vehicles, 3112 Mail Service Center, Raleigh, NC 27699-3112. G.S. 35A-1130(d).

The right to purchase, possess, or transfer a firearm is not automatically restored if the ward is adjudged competent. An order must be entered by a district court judge under G.S. 14-409.42 to remove the disabilities in the National Instant Criminal Background Check System (NICS).

CERTIFICATION

I certify that this Order On Motion In The Cause For Restoration To Competency is a true and complete copy of the original on file in this case.

Date Name (type or print) Signature Deputy CSC Asst. CSC Clerk Of Superior Court SEAL