

(Rev. 7/8/14)
ADMINISTRATIVE ORDER
PROCEDURES FOR HEARING ON
(1) DENIAL OF HANDGUN RECEIPT/PURCHASE PERMIT OR
(2) DENIAL, REVOCATION OR NONRENEWAL OF CONCEALED HANDGUN PERMIT
(N.C.G.S. §14-415.15(c), N.C.G.S. §14-404(b), N.C.G.S. §14-415.18(a), N.C.G.S. §14-415.18(a1))

1. N.C.G.S. §14-404(b) provides, in pertinent part, as follows: “An appeal from the refusal [by the sheriff to issue a receipt/purchase permit for a handgun] shall lie by way of petition to the chief judge of the district court for the district in which the application was filed. The determination by the court, on appeal, shall be upon the facts, the law, and the reasonableness of the sheriff’s refusal, and shall be final.”
2. N.C.G.S. §14-415.15(c) provides, in pertinent part, as follows: “An applicant may appeal the [sheriff’s] denial, revocation, or nonrenewal of a [concealed handgun] permit by petitioning a district court judge of the district in which the application was filed. The determination by the court, on appeal, shall be upon the facts, the law, and the reasonableness of the sheriff’s refusal. The determination by the court shall be final.” N.C.G.S. §14-415.18(a) and (a1) provide the same for appeal from revocation or suspension of a permit.
3. An appeal under either of the above statutes is by petition.
4. An original and two (2) copies of the petition (one for Sheriff and one for Chief District Court Judge) shall be filed with the clerk of court. The petitioner is responsible for serving a filed copy of the petition on the Sheriff and the Chief District Court Judge.
5. Civil district court filing fees should be collected when the petition is filed.
6. A CvD number should be assigned to the file.
7. Statistically, the case should be reported by the Clerk as “Other.”
8. HANDGUN RECEIPT/PURCHASE HEARING. The petition shall be heard before the Chief District Court Judge at the next civil session of district court or as otherwise scheduled by the Chief District Court Judge.
9. CONCEALED HANDGUN PERMIT HEARING. The petition shall be heard before any District Court Judge at the next civil session of district court or as otherwise scheduled by the Chief District Court Judge.
10. All hearings shall be held in open court.
11. All motions for return of a weapon in connection with 50B cases must comply with N.C.G.S. §50B-3.1 (see AOC forms AOC-CV-319, 320, 321, 322).
12. When the court rules on the appeal, the order should be filed and the case closed.
13. This Administrative Order is being revised to include the attached Procedures for the Clerk of Court’s use and add Petitioner’s contact information to the Petition.

Date: 7/8/14

Albert A. Corbett, Jr.
Chief District Court Judge
11th Judicial District
Harnett, Johnston & Lee Counties