

**STATE OF NORTH CAROLINA FILED IN THE GENERAL COURT OF JUSTICE**

2022 AUG -9 A 10:44

**JUDICIAL DISTRICT 3A PITT CO., C.S.C. DISTRICT COURT DIVISION**

**ADMINISTRATIVE ORDER REGARDING CONTINUANCE POLICY**

It is the policy of this Court to provide justice for citizens without unnecessary delay and without undue waste of the time and other resources of the Court, the litigants, and other case participants. Pursuant to the Chief Justice's required Local Action Plan requirements the following timeframes are set forth for resolution of cases pending in Pitt County District 3A Criminal Courts.

Now therefore, IT IS HEREBY ORDERED that:

1. Information about the source of each continuance motion or request in a case and the reason for any continuance granted by the Court shall be noted in the Court's file.
2. Continuance orders shall be made using the attached form which includes the date of service of the charge as well as the prior number of continuances on the form which is to be set out in every order with said form attached hereto as "A".
3. Continuances of cases shall not exceed the timeframes for cases pursuant to our 2022 Local Action Plan to reduce criminal case backlogs. These timeframes were previously brought before and adopted by the Pitt County Local Action Plan Committee. These timeframes are restated herein:
  - (a) Matters scheduled for probable cause court will be pled or indicted within six months from date of service of criminal action.
  - (b) Misdemeanor cases will be disposed of within six months from date of service of criminal action.
  - (c) DWI cases will be disposed of within twelve months from date of service of criminal action.
  - (d) Infractions will be disposed of within 120 days from date of service of criminal action.
4. The Court will not grant a continuance past these timeframes but for good cause shown or unless provided for by law.
5. To the extent that this order conflicts with any statutory provision applicable to a particular continuance motion or request, the statutory provision will control.

6. Continuances on agreement of counsel or the parties shall not automatically be granted.
7. At least quarterly, the Chief district Court Judge shall generate and review a report of the pending cases and any data the Administrative Office of the Courts can make available regarding the number of courts dates each case had. To promote the consistent application of this continuance policy, these reports should be reviewed and discussed with all other judges in the district, bar representatives and other court-related agencies to seek resolution of any organizational or systematic problems that cause unnecessary delay in the timely resolution of all cases.
8. This order shall be adopted as a Local Rule and published on the Administrative Office of the Court's Local rules website.

Entered and effective as of this 9 day of Aug 2022.

  
\_\_\_\_\_  
G. GALEN BRADDY  
CHIEF DISTRICT COURT JUDGE  
JUDICIAL DISTRICT 3A

Date Charge(s) was Filed: \_\_\_\_\_ Previous Number of Continuances: \_\_\_\_\_

CAL. NO. \_\_\_\_\_ OFFICER \_\_\_\_\_ CHARGES: \_\_\_\_\_

STATE OF NORTH CAROLINA  
COUNTY OF PITT

FILE: \_\_\_\_\_  
IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION

STATE OF NORTH CAROLINA  
VS.

CONTINUANCE ORDER

THE ABOVE REFERENCED CASE IS HEREBY CONTINUED TO \_\_\_\_\_, FOR  
THE (STATE) (DEFENDANT) (COURT) OVER OBJECTION OF (STATE) (DEFENDANT)  
IN SUPPORT, THE COURT FINDS AS FACT(S):

- \_\_\_ 1. THAT THERE IS AN ABSENCE OR UNAVAILABILITY OF THE (DEFENDANT) (OFFICER) (WITNESS).
- \_\_\_ 2. THAT THE DEFENDANT IS IN \_\_\_\_\_ COUNTY JAIL. ISSUE A PICK UP ORDER. PICK UP ORDER ISSUED ON \_\_\_\_\_ WITH THE DA'S OFFICE.
- \_\_\_ 3. STATE NEEDS TIME TO PROVIDE DISCOVERY TO THE DEFENDANT.
- \_\_\_ 4. DEFENDANT RECEIVED DISCOVERY FROM STATE ON \_\_\_\_\_ AND NEEDS TO PREPARE.
- \_\_\_ 5. DEFENDANT'S RIGHT TO BE REPRESENTED BY AN ATTORNEY.  
\_\_\_ PUBLIC DEFENDER APPOINTED  
\_\_\_ DEFENDANT TO HIRE OWN ATTORNEY AND WAIVES RIGHT TO APPOINTMENT  
\_\_\_ COURT APPOINTED COUNSEL DENIED
- \_\_\_ 6. DEFENDANT NEEDS TIME TO  
\_\_\_ RAISE MONEY FOR: \_\_\_\_\_  
\_\_\_ OBTAIN: (INSPECTION/REGISTRATION) (DRIVING RECORD) (LICENSE) (INSURANCE LETTER)  
\_\_\_ ATTEND DRIVING SCHOOL \_\_\_\_\_ TO PREPARE FOR COURT
- \_\_\_ 7. DEFENDANT'S ATTORNEY IS IN (DISTRICT) (SUPERIOR) COURT IN \_\_\_\_\_ COUNTY IN (TRIAL) (PLEA) (OTHER COURT PROCEEDING) OR UNAVAILABLE DUE TO \_\_\_\_\_.
- \_\_\_ 8. LAB REPORT IS NOT BACK.
- \_\_\_ 9. DUE TO HEAVY CASELOAD, CASE IS UNABLE TO BE REACHED.  
\_\_\_ DEFENDANT WAS RELEASED AT \_\_\_\_\_ AM/PM.  
\_\_\_ STATE HAD \_\_\_\_\_ WITNESSES (AVAILABLE) (IN COURT).  
\_\_\_ DEFENDANT HAD \_\_\_\_\_ WITNESSES (AVAILABLE) (IN COURT).
- \_\_\_ 10. CASE REMOVED FROM THE ACTIVE PROBABLE CAUSE CALENDAR BY CONSENT OF PARTIES.
- \_\_\_ 11. SUBPOENA PROSECUTING WITNESS (WAS) (WAS NOT) (AVAILABLE) (PRESENT).  
\_\_\_ LAW ENFORCEMENT OFFICER (WAS) (WAS NOT) (AVAILABLE) (PRESENT).  
\_\_\_ OTHER WITNESS: \_\_\_\_\_ (WAS)(WAS NOT) (AVAILABLE) (PRESENT).  
\_\_\_ OTHER WITNESS: \_\_\_\_\_ (WAS)(WAS NOT) (AVAILABLE) (PRESENT).
- \_\_\_ 12. LAST CONTINUANCE FOR THE (DEFENDANT) (STATE).
- \_\_\_ 13. CONTINUED (PRIOR) (AFTER) SCHEDULED DATE: (STATE) (DEFENDANT) RESERVES RIGHT TO CONTINUE.
- \_\_\_ 14. ATTORNEY'S APPEARANCE IS LIMITED TO THIS MOTION TO CONTINUE ONLY.
- \_\_\_ 15. OTHER REASON FOR CONTINUANCE \_\_\_\_\_

THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
DEFENSE ATTORNEY

\_\_\_\_\_  
DISTRICT ATTORNEY

\_\_\_\_\_  
DISTRICT COURT JUDGE