

<b>STATE OF NORTH CAROLINA</b>	File No. _____	Additional File No.(s) _____
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Mecklenburg County	In The General Court Of Justice <input type="checkbox"/> District <input type="checkbox"/> Superior <input type="checkbox"/> Before The Clerk <input type="checkbox"/> Small Claims
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<b>IN THE MATTER OF:</b>	<b>NOTICE AND MOTION TO RESOLVE COURT SCHEDULING CONFLICT</b>
<i>Name And Address Of Plaintiff / Petitioner / State</i>  _____	
<i>Email Address of Plaintiff / Petitioner / State</i>  _____	
<i>Name And Address Of Defendant / Respondent</i>  _____	
<i>Email Address of Defendant / Respondent</i>  _____	<small>Rule 3.1 of the North Carolina General Rules of Practice; Administrative Order In Re: Priorities Between Superior and District Court Matters</small>

**INSTRUCTIONS:** This form is to be used by attorneys to provide notice of a court scheduling conflict between matters in the same priority category as outlined in Rule 3.1 of the North Carolina General Rules of Practice and the Administrative Order In Re: Priorities Between Superior and District Court Matters. The **REQUESTING PARTY** must complete all of the information required below. Copies of the completed form must be distributed to opposing counsel, the clerk of court of all courts and the appropriate judges in all cases. When the attorney learns of the conflict before the date on which the matters are scheduled to be heard, the appropriate judges are the Senior Resident Superior Court Judge for matters pending in Superior Court and the Chief District Court Judge for matters pending in District Court; otherwise, the appropriate judges are the presiding judges over those matters. For notice to the Senior Resident Superior Court Judge and Chief District Court Judge, completed forms must be emailed to [Mecklenburg.SchedulingConflicts@nccourts.org](mailto:Mecklenburg.SchedulingConflicts@nccourts.org).

<b>NOTICE AND MOTION TO RESOLVE COURT SCHEDULING CONFLICT</b>
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The undersigned hereby provides notice that they have been scheduled to appear in two or more courtrooms or before two or more judges involving matters in the same priority category at approximately the same time. The undersigned is unable to attend both court proceedings. The undersigned respectfully requests that the Courts resolve this scheduling conflict and notify the undersigned and the other parties of the resolution. Information regarding the conflict is as follows:

File No.	Case Type	Case Age	Date of Hearing or Trial	Estimated Time and Length of Hearing or Trial	Date Notice of Hearing or Trial Received

Is Defendant in custody? <input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, please list applicable File No.(s) _____
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Is a Jury Involved? <input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, please list applicable File No.(s) _____
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*Comments: Reason(s) why one case should have priority over another:*

Name Of Person Requesting Resolution of Court Scheduling Conflict: _____	Date _____	Signature _____
Email Address: _____	<input type="checkbox"/> Plaintiff or Petitioner / Attorney <input type="checkbox"/> Defendant or Respondent / Attorney <input type="checkbox"/> District Attorney / Assistant DA <input type="checkbox"/> Other: _____	

**CERTIFICATE OF SERVICE**

I certify that on this date, a copy of this Motion to Resolve Court Scheduling Conflict was served by:

first class mail at the address(es) as follows:

plaintiff / petitioner / attorney for plaintiff or petitioner \_\_\_\_\_

defendant / respondent / attorney for defendant or respondent \_\_\_\_\_

district attorney \_\_\_\_\_

personally, delivering a copy to the

plaintiff / petitioner / attorney for plaintiff or petitioner

defendant / respondent / attorney for defendant or respondent

district attorney

Other \_\_\_\_\_

Date

Signature

Plaintiff or Petitioner / Attorney

Defendant or Respondent / Attorney

District Attorney / Assistant DA

Other: \_\_\_\_\_

**ORDER ON MOTION TO RESOLVE COURT SCHEDULING CONFLICT**

This Motion was reviewed by the court out of session.

Therefore, it is ORDERED that this court scheduling conflict is resolved as follows:

Date

Signature

Superior Court Judge

District Court Judge

Magistrate

Clerk of Superior Court

Asst. CSC

Designee \_\_\_\_\_