

STATE OF NORTH CAROLINA  
COUNTIES OF AVERY, MADISON, MITCHELL  
WATAUGA, YANCEY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

IN RE:

ISSUANCE OF SEARCH WARRANTS  
VIA TWO-WAY VIDEO CONFERENCE

ADMINISTRATIVE ORDER

THIS ADMINISTRATIVE ORDER is being entered to streamline the application process for search warrants and ex parte requests from law enforcement and to improve public safety, promote efficiency, convenience, and flexibility for law enforcement agencies. The undersigned enters this Administrative Order pursuant to the inherent authority of the court, administrative supervisory powers, authority over the operations of the Superior Court under N.C. Gen. Stat 7A-41.1 as Senior Resident Superior Court Judge for Judicial District 35 of North Carolina, and pursuant to N.C. Gen. Stat. 7A-49.6.

This Administrative Order does not apply to search warrants obtained from other judicial officials such as district court judges or magistrates.

N.C. Gen. Stat. 15A-245(2) authorizes the issuance of search warrants upon “oral testimony under oath or affirmation presented by a sworn law enforcement officer to the issuing official.”

N.C. Gen. Stat. 7A-49.6(a) states

Except as otherwise provided in this section, judicial officials may conduct proceedings of all types using an audio and video transmission in which the parties, the presiding official, and any other participants can see and hear each other. Judicial officials conducting proceedings by audio and video transmission under this section must safeguard the constitutional rights of those persons involved in the proceeding and preserve the integrity of the judicial process.

N.C. Gen. Stat. 7A-49.6(j) states

All proceedings under this section shall be conducted using videoconferencing applications approved by the Administrative Office of the Courts.

THEREFORE, BASED UPON THE ABOVE STATUTORY AUTHORITY, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that;

1. The Senior Resident Superior Court Judge in Judicial District 35, any Resident Superior Court Judge in Judicial District 35, and other Superior Court Judges and Emergency Recall Judges acting in Judicial District 35 by commission, may issue search warrants based upon oral testimony under oath or affirmation presented by a sworn law enforcement officer to the issuing official by means of an audio and video transmission in which both parties can see and hear each other.
2. Attached hereto as ATTACHMENT A are the procedures to be followed by law enforcement officers seeking the issuance of a search warrant from a Superior Court Judge in Judicial District 35. These procedures may be modified from time to time by the undersigned.
3. Nothing in this Administrative Order prohibits the entry of a search warrant or other law enforcement order in-person.
4. Responsibility for the return of all search warrants to the Clerk shall solely rest with the applicant.
5. This Administrative Order does not apply to search warrants obtained from other judicial officials including district court judges or magistrates.

Date: November 17, 2025

A handwritten signature in black ink, appearing to read "Ted W. McEntire", written over a horizontal line.

Honorable Ted W. McEntire

Senior Resident Superior Court Judge

Judicial District 35

## ATTACHMENT A to ADMINISTRATIVE ORDER

### Judicial District 35

#### A. ISSUANCE OF SEARCH WARRANT BY MEANS OF AUDIO AND VIDEO TRANSMISSION POLICY

For Superior Court Judicial District 35 (Avery, Madison, Mitchell, Watauga, and Yancey Counties)

Effective November 17, 2025 in order to maximize efficiency and the timely administration of justice, search warrants may be submitted by law enforcement officers to Superior Court Judges in Judicial District 35 by remote audio-video conference, unless the issuing judge in their discretion directs that the search warrant must be submitted by the applicant appearing in-person before the issuing judge.

These procedures **do not apply** to search warrants submitted to other judicial officials in Judicial District 35 such as district court judges or magistrates.

#### B. PROCEDURE FOR OBTAINING A SEARCH WARRANT BY MEANS OF AUDIO AND VIDEO TRANSMISSION

To seek the issuance of a search warrant by a Superior Court Judge in Judicial District 35 law enforcement officers should:

##### DURING NORMAL OFFICE HOURS:

1. Call or email the Superior Court Manager Gina Byrd to determine judicial availability.
2. Email a scanned copy or PDF of a completed AOC-CR-119 (Search Warrant) to [gina.m.byrd@nccourts.org](mailto:gina.m.byrd@nccourts.org) noting in the topic of email box in ALL CAPS "SEARCH WARRANT REQUEST"
3. Prior to emailing:
  - a. Applicant should date and sign page 2 of the AOC-CR-119 in the box labeled "Signature of Applicant";
  - b. If the AOC-CR-119 and attachments/supplemental pages are included as one PDF document the officer will also sign at the conclusion of probable cause affidavit and include "Sworn/Affirmed and Subscribed to Before Me", a signature line for the judge and a date section. It will not be required to sign each page as the Applicant will be sworn to the entirety of the Affidavit/attachments/supplemental pages and the Judges signature on the PDF will indicate this unless specifically noted otherwise by the Judge.
  - c. If the submission to the Judge is not one PDF document, then the Applicant shall sign any supplemental pages attached to the AOC-CR-119 and on any and all

supplemental pages, applicant shall add “Sworn/Affirmed and Subscribed to Before Me”, a signature line for the judge and a date section.

- d. Applicant will number each page attached to the AOC-CR-119;
  - e. Applicant should likewise fill in dates of the request, printed name of Judge on pages 1&2, and check Superior Court Judge box on pages 1&2.
4. In the email message, provide a cell number and email address, if different, where the applicant can be easily reached.
  5. The Superior Court Manager will locate a judge available to consider the search warrant. An invitation/Webex meeting information will be sent to the applicant and will contain necessary information for the audio-video transmission. At the scheduled time the Judge will initiate an audio-video conference with the applicant.
  6. The video conference platform will be WebEx. WebEx does not require a download and is the application approved by the Administrative Office of the Courts.
  7. In the audio video conference, the judge will administer an oath to the applicant, confirm that the applicant adopts all representations made in the AOC-CR-119 and attachments thereto and rule upon the evidence presented.
  8. Upon either issuance or denial of the search warrant, the judge will transmit the signed search warrant back to the applicant by email, or other electronic means, or delivered in person.
  9. Once a search warrant is served, law enforcement officers must deliver one copy of the returned search warrant and inventory to the appropriate Clerk’s Office.

#### AFTER NORMAL OFFICE HOURS:

1. Contact the Senior Resident Superior Court Judge by phone to request a search warrant.
2. Email as a PDF file a scanned copy or computer file of the completed AOC-CR-119 (Search Warrant) to the Senior Resident at [theodore.w.mcentire2@nccourts.org](mailto:theodore.w.mcentire2@nccourts.org) noting in the topic of the email box in ALL CAPS “SEARCH WARRANT REQUEST”
3. Prior to emailing:
  - a. Applicant should date and sign page 2 of the AOC-CR-119 in the box labeled “Signature of Applicant”;
  - b. If the AOC-CR-119 and attachments/supplemental pages are included as one PDF document the officer will also sign at the conclusion of probable cause affidavit and include “Sworn/Affirmed and Subscribed to Before Me”, a signature line for the judge and a date section. It will not be required to sign each page as the Applicant will be sworn to the entirety of the Affidavit/attachments/supplemental pages and the Judges signature on the PDF will indicate this unless specifically noted otherwise by the Judge.
  - c. If the submission to the Judge is not one PDF document then the Applicant shall sign any supplemental pages attached to the AOC-CR-119 and on any and all

supplemental pages, applicant shall add “Sworn/Affirmed and Subscribed to Before Me”, a signature line for the judge and a date section.

- d. Applicant will number each page attached to the AOC-CR-119;
  - e. Applicant should likewise fill in dates of the request, printed name of Judge on pages 1&2, and check Superior Court Judge box on pages 1&2.
4. In the email message, provide a cell number and email address, if different, where the applicant can be easily reached.
  5. An invitation/Webex meeting information will be sent to the applicant and will contain necessary information for the audio-video transmission. At the scheduled time the Judge will initiate an audio-video conference with the applicant.
  6. The video conference platform will be WebEx. WebEx does not require a download and is the application approved by the Administrative Office of the Courts.
  7. In the audio video conference, the judge will administer an oath to the applicant, confirm that the applicant adopts all representations made in the AOC-CR-119 and attachments thereto and rule upon the evidence presented.
  8. Upon either issuance or denial of the search warrant, the judge will transmit the signed search warrant back to the applicant by email, or other electronic means, or delivered in person.
  9. Once a search warrant is served, law enforcement officers must deliver one copy of the returned search warrant and inventory to the appropriate Clerk’s Office.