NORTH CAROLINA   IN THE GENERAL COURT OF JUSTICE
ROBESON COUNTY   SUPERIOR COURT DIVISION
                 DISTRICT COURT DIVISION

IN THE MATTER OF }	
PROMULGATING OR AMENDING }	
RULES RELATING TO BAIL AND }	AMENDING ORDER
PRETRIAL RELEASE FOR }	TO GUIDELINES OF
JUDICIAL DISTRICT 16B }	SUGGESTED BAIL
_____ }	AMOUNTS ON FELONIES

FILED

2019 AUG 26 P 3: 05

ROBESON CO., C.S.C.

BY _____

THIS CAUSE, coming on to be heard and being heard before the undersigned Senior Resident Superior Court Judge and Chief District Court Judge of Judicial District 16B.   After consideration of the matter of promulgating or amending policies relating to Bail and Pretrial Release—pursuant to the authority granted by Article 26 of Chapter 15A of the North Carolina General Statutes; the General Rules of Practice for the Superior and District Courts; and the specified, implied and inherent powers of our respective offices—the undersigned, acting separately and jointly, do hereby approve and enter this order.
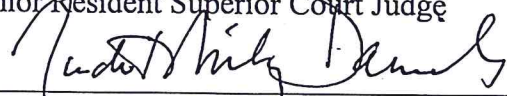
IT IS NOW THEREFORE, ORDERED:

1.   The Local Rules of Bail and Pretrial Release with a copy of the amended Felonies Guideline attached hereto, and incorporated herein by reference, are hereby adopted as the official policy and standard concerning Bail and Pretrial Release in the criminal courts of Judicial District 16B.

2.   These policies shall supersede all prior such policies and shall be effective 26 day of August, 2019.

3.   The Superior Court Trial Court Coordinator shall file this amended order with the Clerk of Superior Court and thereafter shall file the same with the Administrative Office of the Courts.

4.   The Clerk shall serve copies of this order and amended rule upon each judge, magistrate, sheriff and chief of police in the judicial district, as well as each attorney or law firm maintaining a mailbox in the county courthouse, and shall enter hereon a certificate of service.

ENTERED in our respective chambers in Robeson County on this the 26 day of August, 2019.

_____
THE HONORABLE ROBERT F. FLOYD, JR.
Senior Resident Superior Court Judge

_____
THE HONORABLE JUDITH DANIELS
Chief District Court Judge

	C/I/A	C/I/A	
A1	1-60 Days	1-150 Days	$0-$5000
1	1-45 Days C	1-120 Days C/I/A	$0-$1000
2	1-30 Days C	1-60 Days C/I/A	$0-$500
3	1-10 Days C	1-20 Days C/I/A	written promise
DWI			$500-$10,000
Habitual DWI		12mths-59mths	$5,000-$50,000
Habitual B/E Misdemeanor		15mths-88mths	$10,000-$75,000

Governor Warrants, Parole Warrants and Fugitive Warrants No Bond

Drug Trafficking Offenses

Class H	*25mths-30mths*	*$5,000-$25,000*
Class G	*35mths-42mths*	*$25,000-$100,000*
Class F	*70mths-84mths*	*$25,000-$200,000*
Class E	*90mths-117mths*	*$50,000-$300,000*
Class D	*175mths-219mths*	*$200,000-$500,000*
Class C	*225mths-279mths*	*$200,000-$1,000,000*

FELONIES

Class	Minimum Punishment	Maximum Punishment	Suggested Bond
A	Life w/o Parole	Death	Set by Judge Only
B1	144 months	Life w/o Parole	$50,000-$250,000
B2	94 months	484 months	$25,000-$150,000
C	44 months	231months	$20,000-$100,000
D	38 months	204 months	$15,000-$75,000
E	15 months	88 months	$10,000-$75,000

F	10 months	59 months	$5,000-$50,000
G	8 months	47 months	$5,000-$25,000
H	4 months	39 months	$500-$20,000
I	3 months	24 months	$0-$5,000

Rule 14. <u>Right to Pretrial Release in Capital and Noncapital Cases.</u>

a) <u>Noncapital Cases</u>. A defendant charged with a non-capital offense must have conditions of pretrial release determined by a judicial official pursuant to applicable law. G.S.§15A-533(b). A judicial official cannot deny bail for the purpose of preventive detention except as otherwise expressly provided by law. See e.g., G.S.§15A-533(d)(1998). However, if appropriate, such defendants may be detained or retained in custody pursuant to applicable law. See, e.g., G.S.§15A-534.3.

b) <u>Capital Cases</u>. Only a judge may determine whether a defendant charged with a capital offense may be released before trial. G.S.§15A-533(c). If the judge determines, in his or her discretion, release is warranted, the judge must determined the conditions of pretrial release pursuant to applicable law. Id.