

STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice
Superior Court Division

_____ County

STATE VERSUS

Defendant

**EXTRAORDINARY MITIGATION
FINDINGS
(STRUCTURED SENTENCING)**

G.S. 15A-1340.13

NOTE: The finding of extraordinary mitigation permits the Court, in its discretion, to impose an intermediate punishment for a class of offense and prior record level that requires the imposition of an active punishment under statute. The Court is not permitted to use extraordinary mitigation if (1) the defendant committed a Class A or B1 offense, (2) the defendant committed a drug trafficking offense under G.S. 90-95(h), or (3) the defendant has five or more prior record points under G.S. 15A-1340.14.

1. The Court finds that the class of offense and prior record level upon which the defendant stands convicted require the imposition of active punishment.
2. After hearing evidence, and arguments of counsel on the issue of dispositional deviation for extraordinary mitigation, the Court, in its discretion finds the following extraordinary mitigating factors.

Based upon the foregoing findings, the Court, in its discretion, finds:

1. That extraordinary mitigating factors of a kind significantly greater than in the normal case are present.
2. Those factors substantially outweigh any factors in aggravation.
3. It would be a manifest injustice to impose an active punishment in this case.

Date

Name Of Presiding Judge (Type Or Print)

Signature Of Presiding Judge