

Pleading Guilty in Superior Court



2026 FELONY DEFENDER TRAINING

February 6, 2026

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PROCEDURE FOR ENTERING A PLEA

Before accepting a plea agreement, the court must be satisfied that the defendant understands his or her rights, and that his or her decision to plead guilty is knowing and voluntary.

PLEA TRANSCRIPT (PAGE 1)

STATE OF NORTH CAROLINA			<small>File No.</small> _____
_____ County			In The General Court Of Justice <input type="checkbox"/> District <input type="checkbox"/> Superior Court Division
STATE VERSUS			TRANSCRIPT OF PLEA
<small>Name Of Defendant</small> _____			
<small>DOB</small> _____	<small>Age</small> _____	<small>Highest Level Of Education Completed</small> _____	
<small>G.S. 15A-1022, 15A-1022.1</small>			
<p>NOTE: Use this section ONLY when the Court is rejecting the plea arrangement. <input type="checkbox"/> The plea arrangement set forth within this transcript is hereby rejected and the clerk shall place this form in the case file. (Applies to plea arrangements disclosed on or after December 1, 2009.)</p>			
<small>Date</small> _____	<small>Name Of Presiding Judge (type or print)</small> _____	<small>Signature Of Presiding Judge</small> _____	

The undersigned judge, having addressed the defendant personally in open court, finds that the defendant (1) was duly sworn or affirmed, (2) entered a plea of guilty guilty pursuant to *Alford* decision no contest, and (3) offered the following answers to the questions set out below:

	Answers
1. Are you able to hear and understand me?	(1) _____
2. Do you understand that you have the right to remain silent and that any statement you make may be used against you?	(2) _____
3. At what grade level can you read and write?	(3) _____
4. (a) Are you now using or consuming alcohol, drugs, narcotics, medicines, pills, or any other substances?	(4a) _____
(b) When was the last time you used or consumed any such substance?	(4b) _____
(c) How long have you been using or consuming this medication or substance?	(4c) _____
(d) Do you believe your mind is clear, and do you understand what you are doing in this hearing?	(4d) _____
5. Have the charges been explained to you by your lawyer, and do you understand the nature of the charges, and do you understand every element of each charge?	(5) _____
6. (a) Have you and your lawyer discussed the possible defenses, if any, to the charges?	(6a) _____
(b) Are you satisfied with your lawyer's legal services?	(6b) _____
7. (a) Do you understand that you have the right to plead not guilty and be tried by a jury?	(7a) _____
(b) Do you understand that at such trial you have the right to confront and to cross examine witnesses against you?	(7b) _____
(c) Do you understand that by your plea(s) you give up these and other important constitutional rights to a jury trial?	(7c) _____
8. Do you understand that, if you are not a citizen of the United States of America, your plea(s) of guilty or no contest may result in your deportation from this country, your exclusion from admission to this country, or the denial of your naturalization under federal law?	(8) _____
<input type="checkbox"/> 9. Do you understand that upon conviction of a felony you may forfeit any State licensing privileges you have in the event that your probation is revoked?	(9) _____
10. Do you understand that following a plea of guilty or no contest there are limitations on your right to appeal?	(10) _____
11. Do you understand that your plea of guilty may impact how long biological evidence related to your case (for example, blood, hair, skin tissue) will be preserved?	(11) _____

(Over)

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PLEA TRANSCRIPT

(PAGE 2)

12. Do you understand that you are pleading guilty guilty pursuant to *Alford* no contest to the (12) _____ charges shown below? (Describe charges, total maximum punishments, and applicable mandatory minimums for those charges.)

PLEAS									
✓ Plea*	File Number	Count No.(s)	Offense(s)	Date of Offense OR Date Range Of Offense	G.S. No.	F/M	CL	‡Pun. CL.	Maximum Punishment

See attached AOC-CR-300A, for additional charges.

*G = Guilty GA = *Alford* plea
NC = No Contest

TOTAL MAXIMUM PUNISHMENT ▶ _____

MANDATORY MINIMUM FINES & SENTENCES (if any) ▶ _____

✓ **NOTE TO CLERK:** If this column is checked this is an added offense or reduced charge.

‡ **NOTE:** Enter punishment class if different from underlying offense class (punishment class represents a status or enhancement).

13. Do you now personally plead guilty guilty pursuant to *Alford* no contest to the charges I just described? (13) _____

14. (a) Are you in fact guilty? (14a) _____
 (b) (*no contest plea*) Do you understand that, upon your plea of no contest, you will be treated as being guilty whether or not you admit that you are in fact guilty? (14b) _____
 (c) (*Alford guilty plea*)
 (1) Do you now consider it to be in your best interest to plead guilty to the charges I just described? (14c1) _____
 (2) Do you understand that, upon your "*Alford* guilty plea," you will be treated as being guilty whether or not you admit that you are in fact guilty? (14c2) _____

15. (*Use if aggravating factors are listed below*) Have you admitted the existence of the following aggravating factors: (15) _____

 have you agreed that there is evidence to support these factors beyond a reasonable doubt, have you agreed that the Court may accept your admission to these factors, and do you understand that you are waiving any notice requirement that the State may have with regard to these aggravating factors agree that the State has provided you with appropriate notice about these aggravating factors?

16. (*Use if sentencing points are selected below*) Have you admitted the existence of the following sentencing points not related to prior convictions: offense committed while on supervised or unsupervised probation, parole, or post-release supervision offense committed while serving a sentence of imprisonment offense committed while on escape from a correctional institution, have you agreed that there is evidence to support these points beyond a reasonable doubt, have you agreed that the Court may accept your admission to these points, and do you understand that you are waiving any notice requirement that the State may have with regard to these sentencing points agree that the State has provided you with the appropriate notice about these sentencing points? (16) _____

17. (*Use if No. 15 or 16 selected above*) Do you understand that at a jury trial you have the right to have a jury determine the existence of any aggravating factors and any additional sentencing points not related to prior convictions that may apply to your case beyond a reasonable doubt, and that by your plea(s) you give up this constitutional right to a jury determination? (17) _____

18. Do you understand that you also have the right during a sentencing hearing to prove to the Court the existence of any mitigating factors that may apply to your case? (18) _____

19. Do you understand that the courts have approved the practice of plea arrangements and you can discuss your plea arrangement with me without fearing my disapproval? (19) _____

PLEA TRANSCRIPT (PAGE 3)

STATE VERSUS		<small>File No.</small>
<small>Name Of Defendant</small>		
20. Have you agreed to plead <input type="checkbox"/> guilty <input type="checkbox"/> guilty pursuant to <i>Alford</i> <input type="checkbox"/> no contest as part of a plea arrangement? (if so, review the terms of the plea arrangement as listed in No. 21 below with the defendant.) (20) _____ 21. The prosecutor, your lawyer and you have informed the Court that these are all the terms and conditions of your plea:		
PLEA ARRANGEMENT		
<input type="checkbox"/> The State dismisses the charge(s) set out on Page Two, Side Two, of this transcript. <input type="checkbox"/> The defendant stipulates to restitution to the party(ies) in the amounts set out on "Restitution Worksheet, Notice And Order (Initial Sentencing)" (AOC-CR-611).		
22. Is the plea arrangement as set forth within this transcript and as I have just described it to you correct as being your full plea arrangement? (22) _____ 23. Do you now personally accept this arrangement? (23) _____ 24. (Other than the plea arrangement between you and the prosecutor) has anyone promised you anything or threatened you in any way to cause you to enter this plea against your wishes? (24) _____ 25. Do you enter this plea of your own free will, and do you fully understand what you are doing? (25) _____ 26. Do you agree that there are facts to support your plea <input type="checkbox"/> and admission to aggravating factors <input type="checkbox"/> and sentencing points not related to prior convictions, and do you consent to the Court hearing a summary of the evidence? (26) _____ 27. Do you have any questions about what has just been said to you or about anything else connected to your case? (27) _____		
ACKNOWLEDGEMENT BY DEFENDANT		
I have read or have heard all of these questions and understand them. The answers shown are the ones I gave in open court and they are true and accurate. No one has told me to give false answers in order to have the Court accept my plea in this case. The terms and conditions of the plea as stated within this transcript, if any, are accurate.		
SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME		
<small>Date</small>	<small>Signature</small>	<small>Signature Of Defendant</small>
<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court		<small>Name Of Defendant (type or print)</small>
CERTIFICATION BY LAWYER FOR DEFENDANT		
I hereby certify that the terms and conditions stated within this transcript, if any, upon which the defendant's plea was entered are correct and they are agreed to by the defendant and myself. I further certify that I have fully explained to the defendant the nature and elements of the charges to which the defendant is pleading, and the aggravating and mitigating factors and prior record points for sentencing, if any.		
<small>Date</small>	<small>Name Of Lawyer For Defendant (type or print)</small>	<small>Signature Of Lawyer For Defendant</small>
CERTIFICATION BY PROSECUTOR		
As prosecutor for this Prosecutorial District, I hereby certify that the conditions stated within this transcript, if any, are the terms and conditions agreed to by the defendant and his/her lawyer and myself for the entry of the plea by the defendant to the charges in this case.		
<small>Date</small>	<small>Name Of Prosecutor (type or print)</small>	<small>Signature Of Prosecutor</small>
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PLEA TRANSCRIPT

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PLEA ADJUDICATION		
Upon consideration of the record proper, evidence or factual presentation offered, answers of the defendant, statements of the lawyer for the defendant, and statements of the prosecutor, the undersigned finds that:		
1. There is a factual basis for the entry of the plea (<i>and for the admission as to aggravating factors and/or sentencing points</i>);		
2. The defendant is satisfied with his/her lawyer's legal services;		
3. The defendant is competent to stand trial;		
4. <input type="checkbox"/> The State has provided the defendant with appropriate notice as to the aggravating factors and/or points; <input type="checkbox"/> The defendant has waived notice as to the aggravating factors and/or points; and		
5. The plea (<i>and admission</i>) is the informed choice of the defendant and is made freely, voluntarily and understandingly.		
The defendant's plea (<i>and admission</i>) is hereby accepted by the Court and is ordered recorded.		
Date	Name Of Presiding Judge (type or print)	Signature Of Presiding Judge
SUPERIOR COURT DISMISSALS PURSUANT TO PLEA ARRANGEMENT		
File No.	Count No.(s)	Offense(s)
DISTRICT COURT DISMISSALS PURSUANT TO PLEA ARRANGEMENT		
File No.	Count No.(s)	Offense(s)
CERTIFICATION BY PROSECUTOR		
The undersigned prosecutor enters a dismissal to the above charges pursuant to a plea arrangement shown on this Transcript Of Plea.		
Date	Name Of Prosecutor (type or print)	Signature Of Prosecutor
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OPEN PLEA AGREEMENT

DEFENDANT AGREES TO PLEAD GUILTY TO A CHARGE WITHOUT NEGOTIATING A SENTENCE WITH THE PROSECUTOR. THE SENTENCE IS LEFT IN THE DISCRETION OF THE PRESIDING SUPERIOR COURT JUDGE.

WHAT CLASS FELONY
IS YOUR CLIENT
PLEADING TO?

WHAT IS YOUR
CLIENT'S RECORD
LEVEL?

*** Effective for Offenses Committed on or after 10/1/13 ***

FELONY PUNISHMENT CHART
PRIOR RECORD LEVEL

	I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts	
A	Death or Life Without Parole Defendant Under 18 at Time of Offense: Life With or Without Parole						
B1	A	A	A	A	A Life Without Parole	A Life Without Parole	DISPOSITION Aggravated Range
	240 - 300	276 - 345	317 - 397	365 - 456	336 - 420	386 - 483	PRESUMPTIVE RANGE
	144 - 192	166 - 221	190 - 254	219 - 292	252 - 336	290 - 386	Mitigated Range
B2	A	A	A	A	A	A	
	157 - 196	180 - 225	207 - 258	238 - 297	273 - 342	314 - 393	
	125 - 157	144 - 180	165 - 207	190 - 238	219 - 273	251 - 314	
	94 - 125	108 - 144	124 - 165	143 - 190	164 - 219	189 - 251	
C	A	A	A	A	A	A	
	73 - 92	83 - 104	96 - 120	110 - 138	127 - 159	146 - 182	
	58 - 73	67 - 83	77 - 96	88 - 110	101 - 127	117 - 146	
	44 - 58	50 - 67	58 - 77	66 - 88	76 - 101	87 - 117	
D	A	A	A	A	A	A	
	64 - 80	73 - 92	84 - 105	97 - 121	111 - 139	128 - 160	
	51 - 64	59 - 73	67 - 84	78 - 97	89 - 111	103 - 128	
	38 - 51	44 - 59	51 - 67	58 - 78	67 - 89	77 - 103	
E	I/A	I/A	A	A	A	A	
	25 - 31	29 - 36	33 - 41	38 - 48	44 - 55	50 - 63	
	20 - 25	23 - 29	26 - 33	30 - 38	35 - 44	40 - 50	
	15 - 20	17 - 23	20 - 26	23 - 30	26 - 35	30 - 40	
F	I/A	I/A	I/A	A	A	A	
	16 - 20	19 - 23	21 - 27	25 - 31	28 - 36	33 - 41	
	13 - 16	15 - 19	17 - 21	20 - 25	23 - 28	26 - 33	
	10 - 13	11 - 15	13 - 17	15 - 20	17 - 23	20 - 26	
G	I/A	I/A	I/A	I/A	A	A	
	13 - 16	14 - 18	17 - 21	19 - 24	22 - 27	25 - 31	
	10 - 13	12 - 14	13 - 17	15 - 19	17 - 22	20 - 25	
	8 - 10	9 - 12	10 - 13	11 - 15	13 - 17	15 - 20	
H	C/I/A	I/A	I/A	I/A	I/A	A	
	6 - 8	8 - 10	10 - 12	11 - 14	15 - 19	20 - 25	
	5 - 6	6 - 8	8 - 10	9 - 11	12 - 15	16 - 20	
	4 - 5	4 - 6	6 - 8	7 - 9	9 - 12	12 - 16	
I	C	C/I	I	I/A	I/A	I/A	
	6 - 8	6 - 8	6 - 8	8 - 10	9 - 11	10 - 12	
	4 - 6	4 - 6	5 - 6	6 - 8	7 - 9	8 - 10	
	3 - 4	3 - 4	4 - 5	4 - 6	5 - 7	6 - 8	

A - Active Punishment I - Intermediate Punishment C - Community Punishment
Numbers shown are in months and represent the range of minimum sentences

Revised: 09-09-13

AGGRAVATING FACTORS

Appendix C: Aggravating Factors (G.S. 15A-1340.16(d))

1. The defendant induced others to participate in the commission of the offense or occupied a position of leadership or dominance of other participants.
2. The defendant joined with more than one other person in committing the offense and was not charged with committing a conspiracy.
- 2a. The offense was committed for the benefit of, or at the direction of, any criminal gang, with the specific intent to promote, further, or assist in any criminal conduct by gang members, and the defendant was not charged with committing a conspiracy.
3. The offense was committed for the purpose of avoiding or preventing a lawful arrest or effecting an escape from custody.
4. The defendant was hired or paid to commit the offense.
5. The offense was committed to disrupt or hinder the lawful exercise of any governmental function or the enforcement of laws.
6. The offense was committed against or proximately caused serious injury to a present or former law enforcement officer, employee of the Division of Adult Correction and Juvenile Justice (DACJJ) of the Department of Public Safety, jailer, fireman, emergency medical technician, ambulance attendant, social worker, justice or judge, clerk or assistant or deputy clerk of court, magistrate, prosecutor, juror, or witness against the defendant, while engaged in the performance of that person's official duties or because of the exercise of that person's official duties.
- 6a. The offense was committed against or proximately caused serious harm as defined in G.S. 14-163.1 or death to a law enforcement agency animal, an assistance animal, or a search and rescue animal as defined in G.S. 14-163.1, while engaged in the performance of the animal's official duties. *[Offenses committed on/after 12/1/2009.]*
7. The offense was especially heinous, atrocious, or cruel.
8. The defendant knowingly created a great risk of death to more than one person by means of a weapon or device which would normally be hazardous to the lives of more than one person.
9. The defendant held public elected or appointed office or public employment at the time of the offense and the offense directly related to the conduct of the office or employment.
- 9a. The defendant is a firefighter or rescue squad worker, and the offense is directly related to service as a firefighter or rescue squad worker. *[Offenses committed on/after 12/1/2013.]*
10. The defendant was armed with or used a deadly weapon at the time of the crime.
11. The victim was very young, or very old, or mentally or physically infirm, or handicapped.
12. The defendant committed the offense while on pretrial release on another charge.
- 12a. The defendant has, during the ten-year period prior to the commission of the offense for which the defendant is being sentenced, been found by a court of this State to be in willful violation of the conditions of probation imposed pursuant to a suspended sentence or been found by the Post-Release Supervision and Parole Commission to be in willful violation of a condition of parole or post-release supervision imposed pursuant to release from incarceration. *[Offenses committed on/after 12/1/2008.]*
13. The defendant involved a person under the age of 16 in the commission of the crime.
- 13a. The defendant committed an offense and knew or reasonably should have known that a person under the age of 18 who was not involved in the commission of the offense was in a position to see or hear the offense. *[Offenses committed on/after 12/1/2015.]*
14. The offense involved an attempted or actual taking of property of great monetary value or damage causing great monetary loss, or the offense involved an unusually large quantity of contraband.
15. The defendant took advantage of a position of trust or confidence, including a domestic relationship, to commit the offense.
16. The offense involved the sale or delivery of a controlled substance to a minor.
- 16a. The offense is the manufacture of methamphetamine and was committed where a person under the age of 18 lives, was present, or was otherwise endangered by exposure to the drug, its ingredients, its by-products, or its waste.
- 16b. The offense is the manufacture of methamphetamine and was committed in a dwelling that is one of four or more contiguous dwellings.
17. The offense for which the defendant stands convicted was committed against a victim because of the victim's race, color, religion, nationality, or country of origin.
18. The defendant does not support the defendant's family.
- 18a. The defendant has previously been adjudicated delinquent for an offense that would be a Class A, B1, B2, C, D, or E felony if committed by an adult.
19. The serious injury inflicted upon the victim is permanent and debilitating.
- 19a. The offense is a violation of G.S. 14-43.11 (human trafficking), G.S. 14-43.12 (involuntary servitude), or G.S. 14-43.13 (sexual servitude) and involved multiple victims. *[Offenses committed on/after 10/1/2013.]*
- 19b. The offense is a violation of G.S. 14-43.11 (human trafficking), G.S. 14-43.12 (involuntary servitude), or G.S. 14-43.13 (sexual servitude), and the victim suffered serious injury as a result of the offense. *[Offenses committed on/after 10/1/2013.]*
20. Any other aggravating factor reasonably related to the purposes of sentencing.

MITIGATING FACTORS

Appendix D: Mitigating Factors (G.S. 15A-1340.16(e))

1. The defendant committed the offense under duress, coercion, threat, or compulsion that was insufficient to constitute a defense but significantly reduced the defendant's culpability.
2. The defendant was a passive participant or played a minor role in the commission of the offense.
3. The defendant was suffering from a mental or physical condition that was insufficient to constitute a defense but significantly reduced the defendant's culpability for the offense.
4. The defendant's age, immaturity, or limited mental capacity at the time of commission of the offense significantly reduced the defendant's culpability for the offense.
5. The defendant has made substantial or full restitution to the victim.
6. The victim was more than 16 years of age and was a voluntary participant in the defendant's conduct or consented to it.
7. The defendant aided in the apprehension of another felon or testified truthfully on behalf of the prosecution in another prosecution of a felony.
8. The defendant acted under strong provocation, or the relationship between the defendant and the victim was otherwise extenuating.
9. The defendant could not reasonably foresee that the defendant's conduct would cause or threaten serious bodily harm or fear, or the defendant exercised caution to avoid such consequences.
10. The defendant reasonably believed that the defendant's conduct was legal.
11. Prior to arrest or at an early stage of the criminal process, the defendant voluntarily acknowledged wrongdoing in connection with the offense to a law enforcement officer.
12. The defendant has been a person of good character or has had a good reputation in the community in which the defendant lives.
13. The defendant is a minor and has reliable supervision available.
14. The defendant has been honorably discharged from the Armed Forces of the United States.
15. The defendant has accepted responsibility for the defendant's criminal conduct.
16. The defendant has entered and is currently involved in or has successfully completed a drug treatment program or an alcohol treatment program subsequent to arrest and prior to trial.
17. The defendant supports the defendant's family.
18. The defendant has a support system in the community.
19. The defendant has a positive employment history or is gainfully employed.
20. The defendant has a good treatment prognosis, and a workable treatment plan is available.
21. Any other mitigating factor reasonably related to the purposes of sentences.

THINGS TO CONSIDER BEFORE DOING AN OPEN PLEA?

DOES YOUR CLIENT UNDERSTAND THE PROS AND CONS TO DOING AN OPEN PLEA?

IF THE PROSECUTOR HAS OFFERED A PLEA OFFER WITH A STRUCTURED SENTENCE, WHAT IS THE LIKELIHOOD OF GETTING A BETTER SENTENCE FOR YOUR CLIENT VIA OPEN PLEA?

WHO IS YOUR CLIENT?

EMPLOYMENT
HISTORY

FAMILY
HISTORY

FAMILY
SUPPORT

COMMUNITY
SUPPORT

MENTAL
HEALTH
HISTORY

MENTAL
HEALTH
TREATMENT

SUBSTANCE
ABUSE
HISTORY

SUBSTANCE
ABUSE
TREATMENT

AGE OF YOUR
CLIENT

CRIMINAL
RECORD
HISTORY

CHARACTER
WITNESSES

NEW LAW ALERT!!!

REMOVE CONCURRENT SENTENCING DEFAULT

SECTION 19.(a) G.S. 15A-1354(a) reads as rewritten:

"(a) Authority of Court. – When multiple sentences of imprisonment are imposed on a person at the same time or when a term of imprisonment is imposed on a person who is already subject to an undischarged term of imprisonment, including a term of imprisonment in another jurisdiction, the sentences may run either concurrently or consecutively, as determined by the court. If not specified or not required by statute to run consecutively, sentences shall run concurrently. The court shall make a finding on the record stating the reasoning for the determination of the court."

SECTION 19.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

ANY QUESTIONS?

CONTACT INFORMATION

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