

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
CRS

STATE OF NORTH CAROLINA )  
 )  
 v. )  
 )  
 )

**NOTICE OF OBJECTION PURSUANT TO  
N.C.G.S. §20-139.1 AND N.C.G.S. §90-95(g)**

Now comes \_\_\_\_\_, and hereby gives notice to the Court and the State of the defendant's objection to the use of the following without a proper evidentiary foundation introduced at trial through witnesses with knowledge:

1. Chemical analyst's report and affidavit or any other laboratory report and chain of custody documents regarding the chemical examination of the alleged alcohol content of defendant's breath or blood or controlled substance analysis of the defendant's breath, blood, or other bodily substance in this case,
2. Chemical analysis to determine if matter is or contains a controlled substance and certified report of said analysis along with chain of custody documents for said analysis.

This notice of objection is made pursuant to N.C.G.S. §20-139.1 and N.C.G.S. § 90-95(g), and accordingly the State is hereby placed upon notice that a traditional evidentiary foundation will be required at trial in order to use this material and that any such evidence must be introduced through witnesses for whom the defendant shall have the opportunity to confront and cross-examine pursuant to the 6th Amendment to the United States Constitution; Article I, § 23 of the North Carolina Constitution; and *Smith v. Arizona*, 602 U.S. 779 (2024).

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

[Name]
[Address]
[Address]

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing notice of objection was served on \_\_\_\_\_, Assistant District Attorney, [Address], by deposit in the United States mail, first-class and postage prepaid.

This the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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Ann Attorney  
Attorney at Law