

File No.

STATE OF NORTH CAROLINA

In The General Court Of Justice

_____ County

District

Superior Court Division

Before The Clerk

SHOW CAUSE ORDER, FINDINGS AND JUDGMENT - CONTEMPT OR FAILURE TO APPEAR FOR JURY DUTY

To the Defendant/Party Named:

Upon motion of the party named below or on its own motion, the Court finds probable cause to believe that you should be held in contempt of court or fined for your:

- I. Failure To Pay Monies
- II. Failure To Obey Jury Summons
- III. Failure To Obey Order To Appear Pursuant To Summons
- IV. Failure To Obey Other Order Of The Court

I. **Failure To Pay Monies [G.S. 15A-1364]**

Failure to pay the fine and/or costs as ordered in this case. The Court will conduct a hearing and decide whether you should be imprisoned for your failure to pay the fine and/or costs. The amount of the fine and/or costs that you were ordered to pay and the balance due as of the date of this order are as follows:

<i>Amount Of Fine And/Or Costs Ordered Paid</i>	<i>Balance Due As Of The Date Of This Order</i>
\$ _____	\$ _____

II. **Failure To Obey Jury Summons [G.S. 9-13]**

Failure to report for jury duty as directed pursuant to a jury summons on (date) _____.

III. **Failure To Obey Order To Appear Pursuant To Summons [15A-303(e)(3)]**

Failure to appear before this court as directed by a Summons issued and duly served on you ordering you to appear before this Court and answer to the offense(s) indicated below:

<i>Date Summons Issued</i>	<i>Date Summons Served</i>	<i>Date Of Failure To Appear</i>
_____	_____	_____
<i>Offense(s)</i>		

IV. **Failure To Obey Other Order Of The Court [G.S. 5A-11; G.S. 5A-21]**

Failure to obey an order of the Court directing that you (describe action ordered)

STATE VERSUS/IN THE MATTER OF

Name And Address Of Defendant/Party

County Of Residence

Telephone No.

Race

Sex

Date Of Birth

Age

Social Security No.

Drivers License No. & State

RETURN OF SERVICE

I certify that this order was received and served as follows:

By personally serving the defendant/party named above with a copy of this order.

Defendant/party WAS NOT served for the following reason:

Date Received

Date Served

Name Of Law Enforcement Officer

Department Or Agency

County Of Law Enforcement Officer

Name And Address Of Moving Party, If Not The Court

You are ORDERED to appear before this Court on the date indicated below and show cause why you should not be punished for contempt of court, or for failure to appear for jury duty. If you do not appear, the Court may issue an order for your arrest.

Location Of Court

Signature

Date Issued

Court Date

Court Time

AM

Deputy CSC

Assistant CSC

Clerk Of Superior Court

PM

District Court Judge

Superior Court Judge

APPEAL ENTRIES		District Attorney	Attorney For Defendant At This Hearing	<input type="checkbox"/> Appointed <input type="checkbox"/> Waived <input type="checkbox"/> Retained
<input type="checkbox"/> The defendant/party gives notice of appeal from the judgment of the District Court to the Superior Court. <input type="checkbox"/> Conditions of pretrial release are set/modified as follows: <input type="checkbox"/> The defendant/party gives notice of appeal from the judgment of the Superior Court to the Appellate Division. Appellate entries and any conditions of post conviction release are set forth on form AOC-CR-350.		FINDINGS		
		The defendant/party having appeared before the Court, the Court makes the following findings based on the evidence presented: <input type="checkbox"/> that the defendant/party is not in criminal or civil contempt. NOTE: <i>The Court may find civil contempt or criminal contempt, but not both, for the same conduct. G.S. 5A-12(d), G.S. 5A-23(g).</i> <input type="checkbox"/> that the defendant/party is in contempt of court, based on the following facts: <i>(Enter facts constituting contempt. Attach additional pages if necessary.)</i> _____ _____ <input type="checkbox"/> that the juror is excused for failing to respond to the jury summons. <input type="checkbox"/> that the juror was summoned to appear, was served with a jury summons, failed to appear, and has not rendered an excuse deemed sufficient.		
		JUDGMENT		
		<input type="checkbox"/> DISMISSAL. All proceedings pursuant to the above show cause order are dismissed. <input type="checkbox"/> CRIMINAL CONTEMPT; G.S. 5A-12. The defendant is guilty of criminal contempt of court. It is ordered that the defendant pay costs and: <i>(check all that apply)</i> <input type="checkbox"/> 1. pay a fine of \$ _____. <input type="checkbox"/> 2. be imprisoned for a term of _____ days in the custody of the sheriff. Pretrial credit to be provided for _____ days served. <input type="checkbox"/> Work release is recommended. <input type="checkbox"/> 3. Other: _____ _____ <input type="checkbox"/> CIVIL CONTEMPT; G.S. 5A-21. The defendant is in civil contempt of court. <input type="checkbox"/> It is ordered that the defendant be imprisoned in the custody of the sheriff until the defendant purges himself/herself of contempt by paying costs and <i>(describe conduct to purge):</i> _____ _____ <input type="checkbox"/> Other: _____ _____		
SIGNATURE OF JUDGE				
Date	Signature Of Presiding Judge			
	Name Of Presiding Judge (Type Or Print)			
CERTIFICATION				
I certify that this Judgment and attachments marked below are a true and complete copy of the original which is on file in this case. <input type="checkbox"/> Appellate Entries (AOC-CR-350)		The sheriff shall release the defendant from custody unconditionally upon receiving notice from a judicial official that the defendant has purged himself/herself as provided in this order. <input type="checkbox"/> FAILURE TO OBEY JURY SUMMONS; G.S. 9-13. The juror is ordered to pay a fine of \$ _____ <i>(not to exceed \$50.00)</i> . If this fine is not paid forthwith, the clerk shall docket a civil judgment for that amount against the juror and shall issue an execution against the juror's estate.		
		ORDER OF COMMITMENT		
		<input type="checkbox"/> It is ordered that the Clerk deliver two certified copies of this Judgment and Commitment to the sheriff or other qualified officer and that the officer cause the defendant/party to be delivered with these copies to the custody of the agency named above to serve the sentence imposed or until the defendant/party shall have complied with the conditions of release pending appeal.		
SIGNATURE OF JUDGE				
Date	Name Of Presiding Judge (Type Or Print)	Signature Of Presiding Judge		
<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court				