

**STATE OF NORTH CAROLINA**

File No.

In The General Court Of Justice  
District Court Division

\_\_\_\_\_ County

**STATE VERSUS**

Name Of Defendant

**NOTICE OF INTENT TO USE CHEMICAL  
ANALYST'S AFFIDAVIT - BREATH**

G.S. 20-139.1(e1), (e2)

- Pursuant to G.S. 20-139.1(e1) and (e2), the defendant is hereby notified that the State of North Carolina intends to introduce into evidence in this matter, without further authentication and without the testimony of the chemical analyst, the Affidavit and Revocation Report (AOC-CVR-1A/DHHS 3907) and breath test record (DHHS 4082).
- Copies of these documents (*check one*)
  - a. were provided to the defendant at the time of the defendant's initial appearance.
  - b. are attached to this notice.
- The State intends to introduce these documents at a proceeding scheduled on (*date*) \_\_\_\_\_ and at any subsequent proceedings in this matter in District Court.
- The defendant is also hereby notified that, pursuant to G.S. 20-139.1(e2), the defendant's failure to file a timely written objection with the court, with a copy to the State, shall be deemed a waiver of the defendant's right to object to the admissibility of the documents specified above.

**SIGNATURE OF PROSECUTOR**

Date

Name Of Prosecutor (*Type Or Print*)

Signature Of Prosecutor

**CERTIFICATE OF SERVICE**

I certify that a copy of this notice was served by:

- delivering a copy personally to the  defendant's attorney.  defendant.
- depositing a copy, enclosed in a postpaid properly addressed envelope, in a post office or official depository under the exclusive care and custody of the U.S. Postal Service directed to the  defendant's attorney  defendant at the following address:

Address

- leaving a copy at the office of the defendant's attorney with the following partner or employee:

Name And Title Of Person With Whom Copy Left

- Other: \_\_\_\_\_.

Date Served

Signature Of Person Serving

Title Of Person Serving

**ACCEPTANCE OF SERVICE**

- Service accepted by the  defendant's attorney.  defendant.

Date Service Accepted

Signature Of Person Accepting Service

Original - File    Copy - Defendant

STATE OF NORTH CAROLINA

File No.

County

In The General Court Of Justice
District Superior Court Division

STATE VERSUS

Name Of Defendant

NOTICE OF INTENT TO USE CHEMICAL ANALYST'S AFFIDAVIT AND CHAIN OF CUSTODY STATEMENT - BLOOD OR URINE

G.S. 20-139.1(c1), (c3), (e1), (e2)

1. The defendant is hereby notified that (check one)

- a. (use in District Court) pursuant to G.S. 20-139.1(c1), (e1) and (e2), the State of North Carolina intends to introduce into evidence in this matter, without further authentication and without the testimony of the chemical analyst(s), the (check all that apply) Affidavit and Revocation Report (AOC-CVR-1A/DHHS 3907) North Carolina State Crime Laboratory report (DHHS 3176) local law enforcement laboratory report hospital laboratory report. The State intends to introduce this document(s) at a proceeding scheduled on (date) and at any subsequent proceedings in this matter in District Court. Pursuant to G.S. 20-139.1(c1) and (e2), the defendant's failure to file a timely written objection with the court, with a copy to the State, shall be deemed a waiver of the defendant's right to object to the admissibility of the document(s). A copy of the above referenced document(s) is attached to this notice.
b. (use in Superior Court) pursuant to G.S. 20-139.1(c1), the State of North Carolina intends to introduce into evidence in this matter, without further authentication and without the testimony of the chemical analyst, the North Carolina State Crime Laboratory report (DHHS 3176) local law enforcement laboratory report hospital laboratory report. The State intends to introduce this document at a proceeding scheduled on (date) and at any subsequent proceedings in this matter in Superior Court. Pursuant to G.S. 20-139.1(c1), the defendant's failure to file a timely written objection with the court, with a copy to the State, shall be deemed a waiver of the defendant's right to object to the admissibility of the document. A copy of the above referenced document is attached to this notice.

2. The defendant is also hereby notified that, pursuant to G.S. 20-139.1(c3), the State of North Carolina intends to introduce into evidence in this matter a statement signed by each successive person in the chain of custody that the person delivered the defendant's blood or urine sample in this matter to the other person indicated on the statement on or about the date stated, without the personal appearance in court of the person signing the statement. The State intends to introduce this statement at a proceeding scheduled on (date) and at any subsequent proceedings in this matter in District Court. Superior Court. Pursuant to G.S. 20-139.1(c3), the defendant's failure to file a timely written objection with the court, with a copy to the State, shall be deemed a waiver of the defendant's right to object to the admissibility of the statement. A copy of the statement is attached to this notice.

SIGNATURE OF PROSECUTOR

Date Name Of Prosecutor (Type Or Print) Signature Of Prosecutor

CERTIFICATE OF SERVICE

I certify that a copy of this notice was served by:

- delivering a copy personally to the defendant's attorney. defendant.
depositing a copy, enclosed in a postpaid properly addressed envelope, in a post office or official depository under the exclusive care and custody of the U.S. Postal Service directed to the defendant's attorney defendant at the following address:

Address

- leaving a copy at the office of the defendant's attorney with the following partner or employee:

Name And Title Of Person With Whom Copy Left

- Other:

Date Served Signature Of Person Serving Title Of Person Serving

ACCEPTANCE OF SERVICE

- Service accepted by the defendant's attorney defendant.

Date Service Accepted Signature Of Person Accepting Service

Original - File Copy - Defendant