

STATE OF NORTH CAROLINA

File No.

County

In The General Court Of Justice
District Superior Court Division

STATE VERSUS

JUDGMENT/ORDER OR OTHER DISPOSITION

Name Of Defendant

Race Sex Date Of Birth Social Security No.

Attorney For State

Def. Found Not Indigent Def. Waived Attorney

Attorney For Defendant

Dummit

Appointed Retained

Offense DWI

NOTE: (For use in recording Misdemeanor conviction levels under S.S.A.)

PLEA

VERDICT

PRIOR CONVICTIONS:

No./Level 0 I (0) II (1-4) III (5+)

Guilty/Responsible No Contest N/A
Guilty/Responsible No Contest N/A
Not Guilty/Not Responsible N/A

Guilty/Responsible N/A
Guilty/Responsible N/A
Not Guilty/Not Responsible N/A

MISD. CLASS: 1 2 3
MISD. CLASS: 1 2 3

This cause coming on to be heard and being heard before the District Court Judge Presiding, on the regular trial docket for trial on the merits, and the State, through the Assistant District Attorney made an oral motion to continue, which this court denied based upon the following findings of fact and conclusions of law;

Based upon the foregoing circumstances, arguments of counsel, review of the court file, and consideration of the law the Court makes the following FINDINGS OF FACT:

- 1. Defendant was charged with driving while impaired.
2. There were continuances granted to both parties from the time of the initial court date continuing the matter through to this Trial Date.
3. Both the State and the Defense have been provided adequate time to prepare for trial in this matter.
4. It is not fair to the Defendant to allow the State to continue to hold this matter open for further prosecution.

Based upon the foregoing Findings of Fact, the Court makes the following CONCLUSIONS OF LAW:

- 1. The State's motion to continue should by denied pursuant to the Defendant's due process right under the 14th Amendment to the Constitution.
2. The State's motion to continue should by denied as a matter of fundamental fairness to the parties.

THEREFORE, IT IS HEREBY ORDERED that the State's motion to continue is denied.

Date Name Of Presiding Judge (Type Or Print) Signature Of Presiding Judge

APPEAL ENTRIES

The defendant gives notice of appeal from the judgment of the District Court to the Superior Court.
The current pretrial release order is modified as follows:

The defendant gives notice of appeal from the judgment of the Superior Court to the Appellate Division. Appeal entries and any conditions of post conviction release are set forth on form AOC-CR-350.

Date Name Of Presiding Judge (Type Or Print) Signature Of Presiding Judge