

\_\_\_\_\_ County

In The General Court Of Justice  
District Court Division

## IN THE MATTER OF

JUVENILE ORDER -  
PROBABLE CAUSE HEARING

G.S. 7B-2202

Name And Address Of Juvenile

Date Of Birth

Age

Attorney For Juvenile

Alleged Offense(s)

The Court finds that the juvenile named above is alleged to have committed an offense that would be a felony if committed by an adult, and that the juvenile was thirteen years of age or older at the time the juvenile allegedly committed the offense.

## WAIVER OF HEARING AND STIPULATION TO PROBABLE CAUSE

The undersigned attorney for the juvenile waives the juvenile's right to a probable cause hearing and stipulates to a finding of probable cause as to the offense(s) listed above.

Date

Signature Of Attorney For Juvenile

## FINDINGS

Based upon evidence presented at a probable cause hearing at which the juvenile was represented by the attorney named above, or based on the above stipulation:

1. The Court DOES NOT FIND probable cause to believe the juvenile committed the following offense(s):
2. The Court FINDS probable cause to believe the juvenile committed the following offense(s):
- a. Probable cause has been found as to at least one felony, but not a Class A felony, and the juvenile was 13, 14, or 15 years of age when the juvenile allegedly committed the offense, and:
- (1) the prosecutor has moved that the case be transferred to Superior Court.
  - (2) the juvenile has moved that the case be transferred to Superior Court.
  - (3) the Court on its own motion schedules a transfer hearing in this matter.
  - (4) no transfer hearing has been requested.
- b. Probable cause has been found as to a Class H or I felony and the juvenile was 16 years of age or older when the juvenile allegedly committed the offense, and:
- (1) the prosecutor has moved that the case be transferred to Superior Court.
  - (2) the juvenile has moved that the case be transferred to Superior Court.
  - (3) the Court on its own motion schedules a transfer hearing in this matter.
  - (4) no transfer hearing has been requested.

(Over)

**FINDINGS (continued)**

- c. Probable cause has been found as to a Class A felony (first degree murder; injuring another by use of a nuclear, biological, or chemical weapon of mass destruction; or murder of an unborn child) and the case must be transferred to Superior Court.
- d. Probable cause has been found as to a Class F or G felony allegedly committed while the juvenile was 16 years of age or older, and  the prosecutor has declined to prosecute the case in Superior Court, so jurisdiction remains in juvenile court.  the prosecutor has **not** declined to prosecute the case in Superior Court, so the case must be transferred to Superior Court.
- e. Probable cause has been found only as to one or more misdemeanors.

**ORDER**

It is ORDERED that:

- 1. This case be dismissed.
- 2. This case be retained in juvenile court.
  - a. The Court will proceed to an adjudicatory hearing.
  - b. For good cause shown, the adjudicatory hearing will be continued to \_\_\_\_\_ (date).
- 3. A hearing be conducted to determine whether this case should be transferred to Superior Court.
- 4. Because the Court found probable cause as to  a Class A felony (first degree murder; injuring another by use of a nuclear, biological, or chemical weapon of mass destruction; **or** murder of an unborn child),  a Class F or G felony allegedly committed when the juvenile was sixteen years of age or older and the prosecutor did **not** decline to prosecute the matter in Superior Court, that offense be transferred to Superior Court along with the following related offense(s) for which probable cause was found:

It is further ordered that

- a. the juvenile be fingerprinted by \_\_\_\_\_ and that the fingerprints be sent to the State Bureau of Investigation.
- b. the existing fingerprints of the juvenile be sent by \_\_\_\_\_ to the State Bureau of Investigation.
- c. a DNA sample be taken from the juvenile. (required if any of the offenses for which the juvenile is transferred are included in the provisions of G.S. 15A-266.3A)
- 5. Other:

Date Order Entered

Date Signed

Name Of Presiding Judge (type or print)

Signature Of Presiding Judge

**NOTE:** Once transfer is ordered, the juvenile has the right to pretrial release as provided in G.S. 7B-2204. See form AOC-CR-922, "Release Order For Juvenile Transferred To Superior Court For Trial."