

NORTH CAROLINA
2nd JUDICIAL DISTRICT
_____ COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
_____ File No.

Motion and Order for Relief

- Recalendar after Failure to Appear
- Waive Twenty Day Failure to Appear Fee
- Strike Failure to Appear
- Recall Order for Arrest

State of NC

v

Defendant

***** NOTE: Please complete the ENTIRE FORM before submission. *****
*****INCOMPLETE FORMS WILL AUTOMATICALLY BE DENIED*****

Charges: _____

Now comes the Defendant (thru counsel _____)
and respectfully moves the Court for relief as set out above for the failure to appear on
_____ in the above case. In support thereof, the Defendant shows unto
the Court, as follows:

1. Previous Continuances: _____
(Please indicate if any continuance was marked final by a Judge) *Give dates or state none.*

2. Previous Failures to Appear: _____
Give dates or state none

3. Previous Orders for Arrest: _____
Give dates or state none

4. New evidence that is the reason for relief: _____
Include statutory basis for Waiver of FTA Fee

5. Supporting documents attached: _____
List or state none

I certify the above information to be true and accurate.

Date: _____

Signature: _____

Defendant Attorney

The Clerk of Court is authorized to recalendar the case without a signature from the DA or Judge if the Motion to Recalendar is filed within the first twenty days of the missed court date.

Consent of DA/ADA to Recalendar

- Consent: Recalendar on: _____ officer's next court date.
- Object to Recalendaring. Request to be heard
- Consent to Recall of Order for Arrest/Order of Forfeiture and do not wish to be heard.
- Object to Recall of Order for Arrest/Order of Forfeiture Request to be heard.

If applicable, this case, having previously been dismissed with leave, is now reinstated for trial.

Date: _____

Signature: _____

ORDER OF THE COURT

For good cause shown, the Court enters the following ORDER:

- Recalendar on: _____ officer's next court date.
- The Order for Arrest is recalled (and any related Order of Forfeiture is stricken).
- The Failure to Appear Fee is waived.
- The Failure to Appear is stricken.
- The Motion to Recall the Order for Arrest is denied.
- The Motion to Waive the Failure to Appear Fee is denied.
- The Motion to Recalendar is denied.

Date: _____

Signature: _____

- Presiding Judge on motion presented in open court.
- Presiding Judge on date defendant failed to appear.
(Motion heard in chambers.)
- Chief Judge. (Motion heard in chambers.)