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| STATE OF NORTH CAROLINA    JOHNSTON COUNTY | | IN THE GENERAL COURT OF JUSTICE  SUPERIOR COURT DIVISION  FILE NUMBER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | |
| **In thE MATTER OF:**    *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*\_\_\_\_* | | ORDER ON APPEAL FROM DENIAL OF HANDGUNRECEIPT/PURCHASE PERMIT N.C.G.S. § 14-404(b) | |
| This matter came before the undersigned Senior Resident Superior Court Judge on an appeal from the Sheriff’s denial of a permit for the receipt or purchase of a handgun under Chapter 14 of the North Carolina General Statutes. Following a hearing at which the Court considered the facts, the law and the reasonableness of the Sheriff’s refusal, the Court makes the following findings of fact and conclusions of law: | | | |
|  | **FINDINGS OF FACT** | |  |
| 1. On \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*date*), the Petitioner named above (hereinafter “Petitioner”) applied to the Sheriff of Johnston County (hereinafter “Sheriff”) for the issuance of a permit under Chapter 14 of the North Carolina General Statues for the receipt or purchase of a handgun. 2. On \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*date*), the Sheriff, pursuant to N.C.G.S. §14-404(b), refused to issue the permit and provided the Petitioner with a written statement of the reason(s) for the refusal, a copy of which the Petitioner has filed with this Court. 3. The Sheriff specified the following ground(s) for the refusal: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_­\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. 4. The defendant appealed to this Court from the Sheriff’s denial and served a copy of the appeal petition on the Sheriff. 5. The Court finds that the Petitioner  does  does **NOT** meet the criteria for the issuance of a permit under Chapter 14 of the North Carolina General Statutes for the receipt or purchase of a handgun.   (*if applicable*) The Petitioner does **NOT** meet the criteria because of the following: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.   1. Other (*if applicable*): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | | | |
|  | **CONCLUSIONS OF LAW** | |  |
| Considering the foregoing findings of fact, (*check one*)    it is appropriate to issue to the Petitioner a permit for the receipt or purchase of a handgun under Chapter 14 of the North Carolina General Statutes.  it is **NOT** appropriate to issue to the Petitioner a permit for the receipt or purchase of a handgun under Chapter 14 of the North Carolina General Statutes. | | | |

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|  | | **ORDER** | |  |
| It is therefore Ordered that (*check one*)  **Appeal Granted**: The Sheriff shall issue to the Petitioner a permit for the receipt or purchase of a handgun under Chapter 14 of the General Statutes.  **Appeal Denied**: The refusal by the Sheriff to issue to the Petitioner a permit for the receipt or purchase of a handgun under Chapter 14 of the North Carolina General Statutes is hereby upheld. | | | | |
| *Date* | *Name of Senior Resident Superior Court Judge (Type or Print)* | | *Signature of Senior Resident Superior Court Judge* | |
|  | | **CERTIFICATION** | |  |
| I certify that this Order is a true and complete copy of the original on file in this case. | | | | |
| *Date* | *Signature* | | Clerk of Superior Court **SEAL**  Deputy CSC  Assistant CSC | |

Original – File Copy – Petitioner Copy - Sheriff