

NOTE: THIS FORM IS NOT TO BE USED TO SET ASIDE BOND FORFEITURES!

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| STATE OF NORTH CAROLINA | File No.(s.): |
| 11 th Judicial District County of _____ | IN THE GENERAL COURT OF JUSTICE DISTRICT COURT DIVISION |
| THE STATE OF NORTH CAROLINA, v. _____, <i>Defendant.</i> | MOTION AND ORDER TO STRIKE CALLED & FAILED, RECALL ORDER FOR ARREST AND RESET CASE ON A TRIAL CALENDAR |
| MOTION | |
| <input type="checkbox"/> Implied Consent Offense <input type="checkbox"/> DWLR for impaired driving <input type="checkbox"/> Other: _____ | |
| <p style="text-align: center;">NOW COMES _____, Attorney for the above-named Defendant, and respectfully moves the Court to strike the Called and Failed for the Defendant's failure to appear before said District Court Judge on _____ in the above case. In support of the Motion, counsel states that the Defendant failed to appear for the following good cause: _____</p> <p>_____</p> <p>_____</p> <p>I, the undersigned attorney, do hereby verify that I have checked the court file(s) in this action and there <input type="checkbox"/> <i>have been no prior "Motion and Order to Strike a Called and Failed"</i> and/or <input type="checkbox"/> <i>I have checked the court file in this action and found no more than two "Motion and Order to Set Aside a Called and Failed."</i></p> <p>Date: _____ Attorney: _____</p> | |
| CONSENTED TO | |
| Date: _____ DA/ADA: _____ | |
| CONSENTED TO | |
| <p>THE COURT, FINDING that the attorney for the Defendant has shown good cause, IT IS THEREFORE ORDERED that the Called and Failed be stricken, the Order for Arrest recalled, the original of this Order be filed with the office of the Clerk of Superior Court by 5:00 PM this date, and that this case be rescheduled on the District Court trial docket on _____.</p> | |
| Date: _____ District Court Judge: _____ | |
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* AOC-CR-213, "Bond Forfeiture Notice" form is the **ONLY** form to be used in connection with setting aside Bond Forfeitures.