

STATE OF NORTH CAROLINA

File No.

County

In The General Court Of Justice

District Superior Court Division

STATE VERSUS

**DISPOSITION ORDER
SEIZED ALCOHOLIC BEVERAGE ONLY**

G.S. 18B-503

Name Of Defendant

Description Of Alcoholic Beverage (Attach Inventory Of Seized Property, If Necessary)

Name Of Law Enforcement Agency Which Seized Property

ABC Violation

Amount Needed For Trial

The Court finds that the alcoholic beverage described above was seized as evidence of the ABC law violation identified above by the law enforcement agency named above, which to date has provided for the storage of the beverage.

FINDINGS AND ORDER OF DISPOSITION BEFORE TRIAL

The Court further finds that the amount of beverage specified above is needed for evidence at trial, that the remainder of the seized beverage is not needed, and that:

- 1. The trial is likely to be delayed more than ninety (90) days.
- 2. The quantity or nature of the beverage is such that storage is impractical or unduly expensive
- 3. Sale of the beverage is not practical.

It is ORDERED that the amount of the alcoholic beverage which is needed for evidence at trial be continued in storage pending trial on the above named ABC violations and that the remainder be:

- 1. Continued in storage pending that trial.
- 2. Sold pursuant to G.S. 18B-503(e), and that the proceeds be held pending that trial. (**NOTE: Malt beverages and nontaxpaid alcoholic beverages may not be sold.**)
- 3. Destroyed.

This Order shall be executed by the law enforcement agency named above.

Date

Name Of Judge (Type Or Print)

Signature Of Judge

FINDINGS - DISPOSITION AFTER TRIAL

The further finds that:

- 1. The alcoholic beverage was sold before trial pursuant to the above order and the proceeds are being held by the law enforcement agency named above.
- 2. Trial on the ABC violations identified above has been held or all charges have been dismissed, and ownership of the alcoholic beverage named above remains uncertain and cannot be determined with reasonable effort.
- 3. The defendant named above was:
 - a. found guilty of a criminal charge relating to the alcoholic beverage.
 - b. found not guilty of all criminal charges relating to the alcoholic beverage, or that all such charges were dismissed or otherwise resolved in the defendant's favor. However, possession of the beverage by the defendant would be unlawful.
- 4. The owner named below is the owner of the beverage and did not knowingly allow the ABC violation, and that the beverage may be possessed lawfully by the owner.
- 5. The alcoholic beverage which was used as evidence at the trial is also needed for evidence at an administrative hearing to be held before the North Carolina Alcoholic Beverage Control Commission.

(Over)

ORDER OF DISPOSITION AFTER TRIAL

It is ORDERED that the proceeds of any sale of the property described above be:

- 1. Held pending the administrative hearing and after the hearing be disposed of as ordered by the Commission.
- 2. Returned to the:
 - a. defendant.
 - b. owner named below.
- 3. Sold pursuant to G.S. 18B-503(e), and that the proceeds of the sale be: **(NOTE: Malt beverages and nontaxpaid alcoholic beverages may not be sold.)**
 - a. paid, without deduction of costs, to the
 - (1) defendant.
 - (2) owner named below.
 - b. paid to the school fund of the county in which the alcoholic beverage was seized after the costs of storing the beverage and conducting the sale have been deducted, and that those costs be retained by the law enforcement agency named above.
- 4. Destroyed.
- 5. Other:

This Order shall be executed by the law enforcement agency named above, unless a different agency is named below.

<i>Name Of Owner</i>	<i>Date Of Order</i>
<i>Name Of Law Enforcement Agency To Execute Order</i>	<i>Signature Of Judge</i>
	<i>Name Of Judge (Type Or Print)</i>