

STATE OF NORTH CAROLINA

File No.

_____ County

In The General Court Of Justice

District Superior Court Division

STATE VERSUS

Name Of Defendant

**FORFEITURE ORDER
PROPERTY OTHER THAN
ALCOHOLIC BEVERAGE
ABC VIOLATION**

G.S. 18b-504)

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

Name Of Law Enforcement Agency Which Seized Property

ABC Violation

FINDINGS

The Court finds that the conveyance, vessel, container, equipment, ingredient, money or other property described above was used in the manufacture of, or as a container for, or to transport an alcoholic beverage in violation of the ABC law specified above, and that:

- 1. a. found guilty of an ABC offense.
 - b. found not guilty of an ABC offense, or the charge was dismissed or otherwise resolved in the defendant's favor.
 - but the property is something which may not be possessed lawfully.
- 2. Ownership of the property remains uncertain after trial and cannot be determined with reasonable effort.
- 3. The owner named below is the owner of the property and did not consent to the unlawful use of the property by the defendant, and the property may be possessed lawfully by the owner.
- 4. The secured party named below is the holder of a security interest in the property and did not consent to the unlawful use of the property by the defendant.
- 5. The property:
 - a. cannot be used or is not wanted for law enforcement.
 - b. is property for which only a limited number of people would have use.
 - c. is unsuited for sale.
- 6. The property is also needed for evidence at an administrative hearing to be held before the North Carolina Alcoholic Beverage Control Commission.

ORDER

It is ORDERED that the property described above or in the attached Inventory of Seized Property, as itemized below, be:

- 1. Held pending the administrative hearing referred to above and, after the Commission determines that the property is no longer needed for administrative proceedings, be:
- 2. Returned to the:
 - a. defendant. Item(s) No. _____
 - b. owner named below. Item(s) No. _____

(Over)

3. Sold pursuant to G.S. 18B-504(f):
- a. at public auction. Item(s) No. _____
- b. at auctions after notice to the persons named below. Item(s) No. _____
4. Delivered to the law enforcement agency named below. Item(s) No. _____
5. Destroyed. Item(s) No. _____

ORDER - PROCEEDS OF SALE

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

1. Paid, without deduction of costs, to the secured party named below, if any, up to the amount specified below, and that any remaining proceeds be paid to the:
- a. defendant.
- b. owner named below.
2. Paid, after deducting the costs of storing the property and conducting the sale, to the school fund of the county in which the property was seized, and that those costs be retained by the law enforcement agency named above.

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

<i>Name Of Law Enforcement Agency To Whom Property To Be Delivered</i>	<i>Person(s) To Receive Notice</i>
<i>Name Of Owner</i>	<i>Date Of Order</i>
<i>Name Of Secured Party</i>	<i>Signature Of Judge</i>
<i>Amount To Be Paid To Secured Party</i>	<i>Name Of Judge (Type Or Print)</i>
\$	
<i>Name Of Law Enforcement Agency To Execute Order</i>	