

**STATE OF NORTH CAROLINA**

File No.

In The General Court Of Justice  
District Court Division

\_\_\_\_\_ County

**IN THE MATTER OF:**

**ORDER TO AUTHORIZE  
INSPECTION OF FINANCIAL RECORDS  
AND TO FREEZE ASSETS**

G.S. 108A-106(f), 53B-4(11) -5, -7,

Name And Address Of Respondent

Name And Address Of Caretaker

Name And Address Of Petitioner

Name And Address Of Attorney For Petitioner

Telephone Number Of Petitioner

Telephone Number of Petitioner's Attorney

State Bar No.

**FINDINGS**

This matter coming on to be heard and being heard on the Petition for Order to Freeze Assets and Authorize Inspection of Financial Records filed through the authority of the director of the county department of social services pursuant to G.S. 108A-106(f), the Court finds:

1. The respondent:

- is a resident of this county or can be found in this county.
- is a disabled adult \_\_\_\_\_ years of age or a lawfully emancipated minor \_\_\_\_\_ years of age present in the State of North Carolina and is physically or mentally incapacitated as defined in G.S. 108A-101(d).
- is in need of protective services in that: \_\_\_\_\_
- lacks the capacity to consent to the provision of protective services as those terms are defined, and there is no other person currently able or willing to arrange for protective services.
- is unable to properly handle his/her financial affairs.
- is unable to resist financial exploitation.

2. There is reasonable cause to believe the respondent is being financially exploited by her/his caretaker.

3. The purpose of this order is to protect the respondent's financial assets, which there is a reasonable cause to believe are in need of immediate protection.

4. Access to the financial records of respondent are sought pursuant to G.S. 53B-4(11) with reasonable specificity set out below:

5. That the respondent's bank account(s) are located at:

Name And Address Of Financial Institution

Name And Address Of Financial Institution

Name And Address Of Financial Institution

Name And Address Of Financial Institution

**CONCLUSIONS OF LAW**

Based on the findings of fact, the Court concludes that:

1. This matter is properly before the Court and the Court has subject matter and personal jurisdiction.
2. Petitioner filed this petition under the authority granted in G.S. 108A-106(f).
3. The requirements of the Financial Privacy Act, Chapter 53B can and will be met.
4. The entry of this order is in the best interest of the respondent, who is the financial institution's customer.

**ORDER**

Based upon the foregoing findings of fact and conclusions of law, it is ORDERED that:

1. The above named financial institutions shall produce for inspection by the petitioner the following specified records:  
\_\_\_\_\_  
\_\_\_\_\_

2. The respondent's account(s) at the following financial institutions be frozen:

<i>Name And Address Of Financial Institution</i>	<i>Name And Address Of Financial Institution</i>
<i>Name And Address Of Financial Institution</i>	<i>Name And Address Of Financial Institution</i>

3. Petitioner shall give notice of inspection of financial records to the disabled adult and shall comply with the provisions of Chapter 53B.
4. Petitioner shall give notice of inspection of financial records to the disabled adult's financial institution(s) and comply with the provisions of Chapter 53B.
5. The monies in the above named accounts not be withdrawn, spent or transferred without prior approval of this Court.
6. The customer has the right within ten (10) days after service of the court order to appear and show cause in Superior Court why this inspection should not be done any time up to the time of the inspection.
7. That this order shall expire ten (10) days after the examination of the records, unless this Court for good cause shown extends it.

<i>Date</i>	<i>Name Of Presiding District Court Judge</i>	<i>Signature Of Presiding District Court Judge</i>