

**NORTH CAROLINA  
2<sup>nd</sup> JUDICIAL DISTRICT**

**IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION**

\_\_\_\_\_ COUNTY

\_\_\_\_\_ File No.

**Motion and Order**

State of NC

v

\_\_\_\_\_  
Defendant

- |   |
|---|
| <input type="checkbox"/> Recalendar after Failure to Appear     |
| <input type="checkbox"/> Waive Twenty Day Failure to Appear Fee |
| <input type="checkbox"/> Strike Failure to Appear               |
| <input type="checkbox"/> Recall Order for Arrest                |

**\*\*\*\*\* NOTE: Please complete the ENTIRE FORM before submission. \*\*\*\*\*  
\*\*\*\*\*INCOMPLETE FORMS WILL AUTOMATICALLY BE DENIED\*\*\*\*\***

Now comes the Defendant (thru counsel \_\_\_\_\_)  
and respectfully moves the Court for relief as set out above for the failure to appear on  
\_\_\_\_\_ in the above case. In support thereof, the Defendant shows unto  
the Court, as follows:

1. Previous Continuances: \_\_\_\_\_  
(Please indicate if any continuance was marked final by a Judge) *Give dates or state none*

2. Previous Failures to Appear: \_\_\_\_\_  
*Give dates or state none*

3. Previous Orders for Arrest: \_\_\_\_\_  
*Give dates or state none*

4. New evidence that is the reason for relief: \_\_\_\_\_  
*Include statutory basis for Waiver of FTA Fee*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Supporting documents attached: \_\_\_\_\_  
*List or state none*

\_\_\_\_\_  
\_\_\_\_\_

I certify the above information to be true and accurate.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Defendant       Attorney

## Consent of DA/ADA to Recalendar

- Consent: Recalendar on:  \_\_\_\_\_  officer's next court date.
- Object to Recalendar.  Request to be heard
- Consent to Recall of Order for Arrest/Order of Forfeiture and do not wish to be heard.
- Object to Recall of Order for Arrest/Order of Forfeiture  Request to be heard.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

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## ORDER OF THE COURT

For good cause shown, the Court enters the following ORDER:

- Recalendar on:  \_\_\_\_\_  officer's next court date.
- The Order for Arrest is recalled (and any related Order of Forfeiture is stricken).
- The Failure to Appear Fee is waived.
- The Failure to Appear is stricken.
- The Motion to Recall the Order for Arrest is denied.
- The Motion to Waive the Failure to Appear Fee is denied.
- The Motion to Recalendar is denied.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

- Presiding Judge on motion presented in open court.
- Presiding Judge on date defendant failed to appear.  
(Motion heard in chambers.)
- Chief Judge. Motion heard in chambers.