

STATE OF NORTH CAROLINA
_____ COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO. _____

STATE OF NORTH CAROLINA

V.

DEFERRED PROSECUTION CONSENT ORDER

The defendant, the undersigned prosecutor, and Judge pursuant to N.C.G.S. §15A-1341 (a), agree that the prosecution of the case(s) listed above be deferred under the following conditions:

1. I am charged with the criminal offense(s) of _____ and I freely, knowingly and voluntarily admit, without coercion whatsoever, guilt to these charges and that this admission will be used against me should any of the condition of this agreement not be met and prosecution pursued
2. I fully understand I may be subject to a civil contempt charge that could result in my imprisonment pursuant to N.C.G.S. §5a-21. Civil contempt; imprisonment to compel compliance if I fail to comply with one of the conditions of the Deferred Prosecution Consent Order. The period of imprisonment for a person found in civil contempt shall not exceed 90 days.

Signature of the Defendant

Date

3. The defendant asks that prosecution be deferred and agree to satisfy the following conditions:

- not commit any criminal offense other than waiveable traffic offenses.
- pay a fine in the amount of \$ _____ by _____.
- remain employed or in school on a full time basis.
- make restitution in the amount of \$ _____ for the use and benefit of the victim in the following manner:

 complete _____ hours of community service and abide by all of that programs requirements and pay the community fee of \$100.00 by _____.

provide the District Attorney's Office with a certified copy of their criminal history dated no earlier than two (2) weeks prior to the continuance date listed below.

OTHER CONDITIONS: _____

4. This agreement is conditional upon the understanding that the Defendant has never been convicted of any criminal offense and has never participated in any type of deferred prosecution whatsoever, or place on any type of probation.

5. The parties enter into this agreement freely and voluntarily, and this agreement will remain in effect as long as the above conditions are being met. This deferral is for a period of _____ and I am required to be in court on my next assigned court date with proof of compliance. My next court date is _____.

6. Upon Defendant's failure to comply with any terms of this agreement, prosecution and sentencing can be resumed. Upon proof of compliance with the conditions, the case will be dismissed by the prosecutor as agreed.

Entered into this _____ day of _____, 20 _____.

Defendant

Attorney/Witness

Prosecutor

Judge

Community Service