

NORTH CAROLINA  
\_\_\_\_\_ COUNTY

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

STATE OF NORTH CAROLINA

vs.

**MOTION FOR TRIAL  
BY WAIVER**

\_\_\_\_\_,  
Defendant.

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**NOW COMES** the Defendant, by and through his attorney, Marcus E. Hill, and moves for an Order allowing the defendant in this case to plead  guilty  not guilty by waiver. The Defendant moves the Court under North Carolina General Statutes 15A-1011 and shows unto the Court the following:

1. That the Defendant lives in \_\_\_\_\_ and it would be a hardship for him to return to North Carolina.
2. That the Defendant agrees to accept the judgment of the Court and comply with it in full as if he were present.
3. That a properly executed Waiver of Appearance has been filed that complies with N.C.G.S. 15A-1011.

**WHEREFORE, THE DEFENDANT PRAYS THAT THE COURT:**

1. That the Court allow him to plead  Not Guilty by waiver.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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Marcus E. Hill  
Attorney for Defendant  
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NORTH CAROLINA  
\_\_\_\_\_ COUNTY

IN THE GENERAL COURT OF JUSTICE  
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**ORDER**

Defendant

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**THIS CAUSE** coming on to be heard and being heard before the undersigned Judge Presiding over the District Court, upon the Motion of the Defendant, enters the following:

**FINDINGS OF FACT**

1. That the Defendant lives in \_\_\_\_\_ and it would be a hardship for him to return to North Carolina.
2. That the Defendant agrees to accept the judgment of the Court and comply with it in full as if he were present.
3. That a properly executed Waiver of Appearance has been filed that complies with N.C.G.S. 15A-1011.

**BASED ON THE FOREGOING FINDINGS OF FACT, THE COURT** finds the following:

**CONCLUSIONS OF LAW**

1. That this Court has jurisdiction over the parties and the subject matter in this action.
2. That this Court has reviewed the findings of fact and finds the same reasonable

and justified under the circumstances.

**WHEREFORE IT IS ORDERED, ADJUDGED AND DECREED AS FOLLOWS:**

1. That the Court allow him to plead  Not Guilty by waiver.

This is the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Judge Presiding