

STATE OF NORTH CAROLINA

File No.

County

In The General Court Of Justice
District Superior Court Division

STATE VERSUS

Name Of Defendant

ADDITIONAL FINDINGS

WAIVER OF COSTS (INITIAL SENTENCING)

After notice and an opportunity to be heard and make objection by any directly affected government entity, provided through the notice provided by the NCAOC, other: the Court:

- 1. Finds just cause to waive the following costs (NOTE: If any are selected the Court must make findings of fact in No. 3 below.):
All costs. GCFJ Arrest/Process Fee Lab/Hosp. Fee (Non-Digital Forensics)
Facilities Fee Chapter 20 Fee Lab Fee (Digital Forensics)
Telecom/Data Fee Improper Equipment Fee Lab/Hospital Expert Witness Fee
LEO Retirement Fee Impaired Driving Fee Installment Setup Fee
LEO Training Fee Pretrial Jail Fee (\$10/day) Failure to Appear Fee
DNA Fee Pretrial Release Services Fee Failure to Comply Fee
2. Finds just cause to reduce the following costs from \$600 to the amount indicated below (NOTE: If any are selected the Court must make findings of fact in No. 3 below.):
State Crime Lab (Non-Dig. Forensics) State Lab Expert Witness
Local Lab (Non-Digital Forensics) Local Lab Expert Witness
Private Hospital Toxicology Private Hospital Expert Witness
3. In support of the waivers or reductions noted above, the Court finds just cause in that the Defendant:
Has no present ability to pay the monetary obligations indicated above.
Is now, has recently been, or will soon be incarcerated.
Other:
4. The Court waives the FTA fee under G.S. 7A-304(a)(6) upon a showing that the defendant failed to appear because of an error or omission of a judicial official, prosecutor, or law enforcement officer.

RELIEF FROM OTHER FEES

- 1. For good cause and upon motion of the defendant, the defendant is exempted from:
a. Probation supervision fees under G.S. 15A-1343(c1).
b. Electronic monitoring device fees under G.S. 15A-1343(c2).
c. Satellite-based monitoring fees under G.S. 14-208.45.
2. The Court waives remits community service fees applicable under G.S. 143B-708.
3. The Court does not assess attorney fees, as provided on the Trial Level Fee Application (AOC-CR-225). remits attorney fees.

REMISSION OF COSTS AND FINES (SUBSEQUENT ACTION)

Upon petition of the defendant, a prosecutor, it appearing to the satisfaction of the sentencing Court under G.S. 15A-1363 that the circumstances which warranted the imposition of the fine or costs no longer exist, that it would otherwise be unjust to require payment, or that the proper administration of justice requires resolution of the case, and after notice and an opportunity to be heard and make objection by any directly affected government entity, provided through the notice provided by the NCAOC, other: the Court:

- 1. Remits or reduces the following costs:

Table with columns: All costs, Remit, Reduce to: (for various fees like GCFJ, Arrest/Process Fee, Pretrial Jail Fee, etc.)

- 2. Remits the fine imposed in this case.
3. Reduces the fine imposed in this case to \$
4. Modifies the defendant's method of payment of costs and fines as follows:

	REMISSION OF RESTITUTION	
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1. After notice and an opportunity to be heard to the district attorney and the victim, victim's estate, and any other entity to which restitution was to be paid, the Court finds under G.S. 15A-1340.39 that remission of restitution is warranted and serves the interests of justice and remits restitution as provided in the attached Restitution Update Worksheet (AOC-CR-612).

	MODIFICATION OF COSTS AND FINES UPON DEFAULT	
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1. The Court finds that the defendant has defaulted in the payment of costs. fines.
 It appearing that the default was not attributable to a failure on the defendant's part to make a good faith effort to obtain the necessary funds for payment, the Court orders under G.S. 15A-1364(c) that:
2. The defendant is allowed additional time to pay **costs** and **fin**es as follows: Payment is due on _____(date).
3. The defendant's **costs** are reduced in whole. in part as follows: _____.
4. The defendant's **fine** is reduced in whole. in part as follows: _____.

	CIVIL JUDGMENT	
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NOTE: Civil judgments for **attorney fees** and the \$60 **attorney appointment fee** are ordered through the Trial Level Fee Application (AOC-CR-225) and should not be entered again on this order. Civil judgments for **restitution** are entered on the Restitution Worksheet (AOC-CR-611) or Restitution Update Worksheet (AOC-CR-612) and should not be entered on this order.

1. In response to the defendant's default in the payment of **costs**, the Court orders a judgment for the following costs docketed as a lien on the defendant's real estate under G.S. 15A-1365 (**NOTE: No interest accrues on judgments for costs. G.S. 24-5.**)
- | | | | |
|-------------------------------------|---|--|--|
| <input type="checkbox"/> All costs. | <input type="checkbox"/> GCJF | <input type="checkbox"/> Arrest/Process Fee | <input type="checkbox"/> Pretrial Release Services Fee |
| | <input type="checkbox"/> Facilities Fee | <input type="checkbox"/> Chapter 20 Fee | <input type="checkbox"/> Lab/Hosp. Fee (Non-Digital Forensics) |
| | <input type="checkbox"/> Telecom/Data Fee | <input type="checkbox"/> Improper Equipment Fee | <input type="checkbox"/> Lab Fee (Digital Forensics) |
| | <input type="checkbox"/> LEO Retirement Fee | <input type="checkbox"/> Impaired Driving Fee | <input type="checkbox"/> Lab/Hospital Expert Witness Fee |
| | <input type="checkbox"/> LEO Training Fee | <input type="checkbox"/> Pretrial Jail Fee (\$10/day) | <input type="checkbox"/> Installment Setup Fee |
| | <input type="checkbox"/> DNA Fee | <input type="checkbox"/> Probation Jail Fee (\$40/day) | <input type="checkbox"/> Failure to Appear Fee |
| | | <input type="checkbox"/> Witness Fees | <input type="checkbox"/> Failure to Comply Fee |
2. In response to the defendant's default in the payment of **fin**es, the Court orders a judgment for fines docketed as a lien on the defendant's real estate under G.S. 15A-1365. (**NOTE: Interest accrues on judgments for fines at 8 percent per year. G.S. 24-1.**)
3. Other:
4. The Court orders the Clerk of Superior Court to cancel the following judgments in the above-captioned county, notwithstanding any balance due:

Judgment for: (e.g., "Costs"; "Restitution to [victim]")	Docketing Information Book/Page or Abstract Number
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	/
	/
	/
	/

	MOTOR VEHICLE OFFENSES	
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- The defendant has demonstrated to the Court under G.S. 20-24.1(b) that:
1. His or her failure to pay a penalty, fine, or costs was not willful and that he or she is making a good faith effort to pay.
2. The penalty, fine, or costs should be remitted.

SIGNATURE OF JUDGE		
Date	Name Of Presiding Judge (Type Or Print)	Signature Of Presiding Judge

Material opposite unmarked squares is to be disregarded as surplusage.