

NORTH CAROLINA GENERAL ASSEMBLY
1967 SESSION

CHAPTER 1064
HOUSE BILL 936

1 AN ACT TO ADD ARTICLE 15B TO CHAPTER 15 OF THE NORTH CAROLINA
2 GENERAL STATUTES, RELATING TO THE PRETRIAL EXAMINATION OF THE
3 STATE'S WITNESSES AND DOCUMENTARY EVIDENCE.
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5 The General Assembly of North Carolina do enact:
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7 **Section 1.** Chapter 15, the Criminal Procedure Section of the North Carolina
8 General Statutes is hereby amended by adding the following as a new Article 15B:

9 "Article 15B

10 Pre-Trial Examination of Witnesses and Exhibits of the State.

11 **§ 15-155.4.** In all criminal cases before the Superior Court, the Superior Court Judge assigned
12 to hold the Courts of the District wherein the case is pending, or the Resident Superior Court
13 Judge of the District, shall for good cause shown, direct the Solicitor or other Counsel for the
14 State to produce for inspection, examination, copying and testing by the accused or his Counsel
15 any specifically identified exhibits to be used in the trial of the case sufficiently in advance of
16 the trial to permit the accused to prepare his defense; and such Judge shall for good cause
17 shown and regardless of any objection of the Solicitor or other Counsel for the State, direct that
18 the accused or his Counsel be permitted to examine before any Clerk of Superior Court, or any
19 other person designated by the Judge for the purpose, any expert witnesses to be offered by the
20 State in the trial of the case regarding the proposed testimony of such expert witnesses.

21 Prior to issuance of any order for the inspecting, examining, copying or testing of any
22 exhibit or the examination of any expert witness under this Section the accused or his Counsel
23 shall have made a written request to the Solicitor or other Counsel for the State for such
24 inspection, examination, copying or testing of one or more specifically identified exhibits or the
25 examination of a specific expert witness and have had such request denied by the Solicitor or
26 other Counsel for the State or have had such request remain unanswered for a period of more
27 than 15 days.

28 **§ 15-155.5.** Such order for examination of the expert witnesses of the State may contain such
29 protective provisions on behalf of the State or the witnesses as the Judge deems just and
30 reasonable, and may also direct the attendance of such witnesses for such examination."

31 **Sec. 2.** All laws and clauses of laws in conflict with this Act are hereby repealed.

32 **Sec. 3.** This Act shall be in full force and effect from and after its ratification.

33 In the General Assembly read three times and ratified, this the 3rd day of July, 1967.