

GENERAL ASSEMBLY OF NORTH CAROLINA
1991 SESSION

CHAPTER 109
SENATE BILL 763

AN ACT TO PROVIDE THAT THE DISTRICT ATTORNEY MAY TAKE A
VOLUNTARY DISMISSAL IN A DEFERRED PROSECUTION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-931(a) reads as rewritten:

"(a) Except as provided in G.S. 20-138.4, the prosecutor may dismiss any charges stated in a criminal pleading including those deferred for prosecution by entering an oral dismissal in open court before or during the trial, or by filing a written dismissal with the clerk at any time. The clerk must record the dismissal entered by the prosecutor and note in the case file whether a jury has been impaneled or evidence has been introduced."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 23rd day of May, 1991.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives