

NOTE: (If DWI, use AOC-CR-342 (active)) or AOC-CR-310 (probation). If active sentence to DAC or MCP, use AOC-CR-602. If supervised probation, use AOC-CR-604.)

In The General Court Of Justice District Court Division

<b>MAGISTRATE'S ORDER - MISDEMEANOR ONLY</b>		Signature Of Magistrate/Deputy/Assistant/CSC	
The named defendant has been arrested without a warrant and there is probable cause for the defendant's detention on the stated charges. This Magistrate's Order is issued upon information furnished under oath by the named officer. A copy of this Order has been delivered to the defendant.		Date	
<b>COURT USE ONLY</b>		Attorney For Defendant At Time Of Trial Or Plea	
District Attorney		Signature Of Deputy/Assistant/CSC	
<b>PRIOR CONVICTIONS:</b> No Level: 0 <input type="checkbox"/> I (0) <input type="checkbox"/> II (1-4) <input type="checkbox"/> III (5+)		MISD. CLASS: A1 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 MISD. CLASS: A1 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 V/D <input type="checkbox"/>	
VERDICT/ <input type="checkbox"/> guilty/resp. <input type="checkbox"/> not guilty/resp. FINDING: <input type="checkbox"/> guilty/resp. <input type="checkbox"/> not guilty/resp.		JUDGMENT: The defendant appeared in open court and freely, voluntarily and understandingly entered the above plea; on the above verdict/finding, it is ORDERED that the defendant: <input type="checkbox"/> pay costs and a fine/penalty of \$ _____ days in custody of the sheriff. Pretrial credit <input type="checkbox"/> The Court finds that a <input type="checkbox"/> longer <input type="checkbox"/> shorter period of probation than specified in G.S. 15A-1343.2(d) is necessary. <input type="checkbox"/> Execution of sentence is suspended and the defendant is placed on unsupervised probation for _____ months, subject to the regular conditions of probation and the following: <input type="checkbox"/> (1) pay costs and a fine/penalty of \$ _____; <input type="checkbox"/> (2) not operate a motor vehicle until properly licensed by DMV; <input type="checkbox"/> (3) complete _____ hours of community service within _____ days and pay the fee; <input type="checkbox"/> (4) Other: _____	
<input type="checkbox"/> It is ORDERED that this: <input type="checkbox"/> Judgment is continued upon payment of costs. <input type="checkbox"/> case be consolidated for judgment with _____ <input type="checkbox"/> The Court finds just cause to waive costs as ordered on attached AOC-CR-616. <input type="checkbox"/> Other: _____		Signature Of District Court Judge	
<input type="checkbox"/> COMMITMENT: It is ORDERED that the Clerk deliver two certified copies of this Judgment and Commitment to the sheriff and that the sheriff cause the defendant to be retained in custody to serve the sentence imposed or until the defendant shall have complied with the conditions of release pending appeal. <input type="checkbox"/> The defendant in open court, gives notice of appeal to the Superior Court.		Date	

C 4352756-8

File No.			
<b>NORTH CAROLINA UNIFORM CITATION</b>			
Defendant Is To Appear In District Court			
Admin N.C.			
Day Of Week	Month Day Year Time		
Thurs	8 10 17 830		
<input type="checkbox"/> DL <input type="checkbox"/> DCI <input type="checkbox"/> Other	# Of Chgs Interpreter Needed <input type="checkbox"/> SP <input type="checkbox"/> OTS <input type="checkbox"/> ASL		
<b>THE STATE OF NORTH CAROLINA VS.</b>			
Name Of Defendant			
Albert Maltby			
Address			
165 S French Broad Apt 1108			
City	State Zip		
Asheville	NC 28801		
Drivers License No.	State CDL Class		
Race	Sex	Date Of Birth	Age
W	M	8/10/57	59
Social Security No. Of Defendant		Telephone No.	
Vehicle License No.		State	
Vehicle Type		Trailer Type	CMV Haz. Mat. Make Year
Name And Telephone No. Of Defendant's Employer			
Date Of Arrest & Check Digit No. (As Shown On Fingerprint Card)			
ACKNOWLEDGMENT/NONRESIDENT PERSONAL RECOGNIZANCE FOR APPEARANCE			
I acknowledge receipt of this Citation <input type="checkbox"/> and I promise to appear in the named court at the time and place designated herein to answer the charge(s). I understand that my failure to appear or to dispose of this Citation by other acceptable legal means, such as waiver, will result in my operator's license issued by my state of residence being suspended until I have done so. Also, I may go before a magistrate and make bail in lieu of my personal recognizance.			
Date	Signature Of Defendant		
7/7/17	Delivered		
<b>DEPARTMENTAL USE ONLY</b>			
Officer	No.	Troop	District
S Bunker	2442		C
SHP Code	<input type="checkbox"/> N.C. Patrol <input checked="" type="checkbox"/> Asheville <input type="checkbox"/> Police/Sheriff		
Area	Wea.	Vis.	Traffic Accident Speed
BL	C	H	
On Highway No./Street		<input type="checkbox"/> Injury Or Serious Injury <input type="checkbox"/> Passenger(s) Under 18	
Willard Ave			
In Vicinity/City Of		At Near Intersection	
Asheville		Grove St	
Wit.	Chemical Analyst	<input type="checkbox"/> AC <input type="checkbox"/> Refused	

17-016535 Buncombe County

STATE OF NORTH CAROLINA

The undersigned officer has probable cause to believe that on or about July 7, 2017 (a) 6 m., the 7 day of July 2017, in the named county, the named defendant did unlawfully and willfully operate a (motor) vehicle on a (street or highway) (public vehicular area)

☐ 1. At a speed of \_\_\_\_\_ MPH in a \_\_\_\_\_ MPH zone. G.S. 20-141. 77. ☐ work zone. G.S. 20-141(j2). 88. ☐ school zone. G.S. 20-141.1.

☐ 2. In forward motion without having the provided seat belt properly fastened about the defendant's body. G.S. 20-135.2A.

☐ 3. By transporting a passenger of less than 16 years of age without having the passenger in a (weight appropriate child passenger restraint system) (seat belt). G.S. 20-137.1.

☐ 4. By transporting a child of less than five years of age and less than 40 pounds in weight without the child being secured in the rear seat, when the vehicle was equipped with an active passenger-side front air bag and the vehicle had a rear seat. G.S. 20-137.1(a1).

☐ 5. While subject to an impairing substance. G.S. 20-138.1.

☐ 6. Without being licensed as a driver by the Division of Motor Vehicles of North Carolina. G.S. 20-7(a).

☐ 7. While the defendant's drivers license ☐ was revoked. G.S. 20-28(a). 33. ☐ was revoked for an impaired driving revocation as defined in G.S. 20-28.2(a). G.S. 20-28(a1).

☐ 8. While displaying an expired registration plate on the vehicle knowing the same to be expired. G.S. 20-111(2).

☐ 9. Without (displaying thereon a current approved inspection certificate) (having a current electronic inspection authorization for the vehicle), such vehicle requiring inspection in North Carolina. G.S. 20-183.8. Month Expired: \_\_\_\_\_

☐ 10. By failing to see before (starting) (stopping) (turning from a direct line) that such movement could be made in safety. G.S. 20-154.

☐ 11. By failing to stop at a duly erected (stop sign) (flashing red light). G.S. 20-158(b)(1), (b)(3).

☐ 12. By entering an intersection while a traffic signal was emitting a steady red circular light for traffic in defendant's direction of travel. G.S. 20-158(b)(2).

☐ 13. Without having in full force and effect the financial responsibility required by G.S. 20-313. The defendant was the owner of the motor vehicle that was (registered) (required to be registered) in this State. G.S. 20-313.

☐ 14. (Possess an open container of) (Consume) an alcoholic beverage in the passenger area of a motor vehicle. G.S. 20-138.7(a1). [NOTE: Strike "operate a (motor) vehicle" and "(public vehicular area)" above.]

☐ 15. Without decreasing speed as necessary to avoid colliding with a (vehicle) (person). G.S. 20-141(m).

☒ 16. Willfully stopped in street in a manner to impede the flow of traffic to wit: walked in front and stopped several cars.  
GS 20-174.1

☐ 17. And on or about the date and time shown above in the named county, the named defendant did unlawfully and willfully operate a (motor) vehicle on a (street or highway) (public vehicular area)

Date 7/7/17 Signature Of Officer S Bunker