

STATE OF NORTH CAROLINA  
[ ] COUNTY

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

IN THE MATTER OF )  
 )  
[JS, A JUVENILE] ) MOTION AND ORDER TO DESTROY  
 ) FINGERPRINTS AND PHOTOGRAPHS  
 )

NOW COMES the juvenile by and through his attorney, Assistant Public Defender \_\_\_\_\_, pursuant to N.C. Gen. Stat. § 7B-2102, and moves the Court to order the proper authorities to destroy any and all fingerprints and photographs taken of the juvenile in conjunction with the matter before the Court today. In support of the motion, the juvenile provides the Court with the following facts:

THAT a petition was filed in Juvenile Court of [ ] County on [date] at [time] alleging that the juvenile had committed the act of assault inflicting serious injury, N.C. Gen. Stat. § 14-32.4;

THAT according to a report filed on [DATE] by Greensboro Police [OFFICER'S NAME] the juvenile was fingerprinted and photographed at the [FACILITY] County Jail;

THAT pursuant to N.C. Gen. Stat. § 7B-2102(a) a law enforcement shall fingerprint and photograph a juvenile who was 10 years of age or older at the time the offense allegedly was committed if the offense is a nondivertible offense as set forth in N.C. Gen. Stat. § 7B-1701;

THAT pursuant to N.C. Gen. Stat. § 7B-1701, assault inflicting serious injury is not enumerated as a nondivertible offense.

WHEREFORE, the juvenile moves the court to issue an order to the proper authorities to destroy any and all fingerprints and photographs taken of the juvenile in conjunction with the matter before the Court today.

This the [ ] day of [ ], [ ].

\_\_\_\_\_  
[Attorney's Name]  
[Address]  
[City, State, Zip Code]  
[Telephone Number]

\* \* \* \* \*

Certificate of Service

I hereby certify that a copy of the foregoing motion was served on the District Attorney for the [NUMBER], Judicial District by deposit of said copy with [NAME], Assistant District Attorney.

This the [ ] day of [ ], [ ].

\_\_\_\_\_  
[ATTORNEY]

STATE OF NORTH CAROLINA  
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ORDER TO DESTROY FINGERPRINTS  
AND PHOTOGRAPHS

THIS MATTER coming on to be heard and being heard before the [JUDGE] of the District Court of the General Court of Justice of the [DISTRICT NUMBER] Judicial District, [COUNTY], upon a motion of [DEFENSE ATTORNEY], Assistant Public Defender, that any and all fingerprints and photographs taken of the juvenile in conjunction with the matter before the Court today be destroyed by the proper authorities.

AND IT APPEARING THAT a petition was filed against the juvenile alleging assault inflicting serious injury.

AND IT APPEARING THAT the juvenile was fingerprinted and photographed in conjunction with this matter in violation of the laws pertaining to the fingerprinting and photographing of juveniles pursuant to N.C. Gen. Stat. § 7B-2102.

IT IS NOW, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the proper authorities destroy any and all fingerprints and photographs taken of the juvenile in conjunction with the matter before the Court today.

This is the [ ] day of [ ], [ ].

\_\_\_\_\_  
[JUDGE]  
District Court Judge