*AOC-G-112, Rev. 10/96*

*1997 Administrative Office of the Courts*

***SWORN AND SUBSCRIBED TO BEFORE ME***

***To The Agency Named Above***

***:***

***The prisoner named above is confined in your custody. Upon the above verified application, you are ORDERED to deliver***

***the prisoner to the custody of the person named below so that the prisoner may be brought before this Court to be***

***examined as a witness in this proceeding.***

***APPLICATION***

***WRIT***

***APPLICATION AND***

***WRIT OF HABEAS CORPUS***

***AD TESTIFICANDUM***

***NOTE:***

***The undersigned party to this proceeding has been advised by counsel and verily believes that the prisoner named above***

***is a witness whose testimony is material and necessary to the party in the trial or hearing of this proceeding. The prisoner***

***is detained in a jail or prison in the custody of the agency named above, and the undersigned requests that the court issue***

***a Writ of Habeas Corpus ad Testificandum to bring the prisoner before the court to be examined as a witness on behalf of***

***the party.***

***Original-Sheriff Copy-Applicant Copy-File***

***(Over)***

***STATE OF NORTH CAROLINA***

***County***

***File No.***

***Civil:***

***Criminal***

***Plaintiff:***

***County***

***Use this form to obtain the presence of a witness in a civil or criminal case. Use the "Prosecutor's Request For Temporary Custody Of***

***Defendant For Trial," AOC-CR-900M or the "Application And Writ Of Habeas Corpus Ad Prosequendum," AOC-CR-223, to obtain the presence***

***of a defendant for the trial of criminal charges pending against the defendant.***

***Name Of Party For Whom Witness To Testify:***

***N.C. DOC***

***Sheriff of***

***STATE***

***VERSUS***

***Sex***

***Signature Of Person Authorized To Administer Oaths***

***Attorney For Party Party***

***Signature***

***SEAL***

***TO:***

***You are ORDERED to serve this Writ upon the agency named above, to take the prisoner into custody and bring the***

***prisoner before this Court on the date and at the time and place shown below and, when the trial of this case has been***

***completed and the prisoner is released by the Court to return the prisoner to the custody of that agency.***

***The Sheriff Of This County Other***

***AM***

***PM***

***Signature***

***Superior Court Judge Clerk Of Superior Court District Court Judge***

***In The General Court Of Justice***

***District Superior Court Division***

***G.S. 17-41 through 17-46***

***Name Of Defendant***

***Name Of Witness (Prisoner) Nature Of Proceeding***

***Date of Birth***

***Social Security No.***

***Date***

***Name (Type Or Print)***

***Date***

***Title***

***Date Commission Expires***

***Date***

***Name (Type Or Print) Location Of Court***

***Court Date Court Time***

***Date of Birth***

***Social Security No.***

***N.C. DOC***

***\_\_\_ CVD\_\_\_\_***

***\_\_\_\_\_***

***8***

***\_\_\_\_\_\_\_\_\_***

***\_\_\_\_\_\_\_***

***WHITE FEMALE 04-19-1979***

***RENE RACHELLE LAZO***

***8***

***RETURN HEARING ON EMERGENCY CUSTODY ORDER***

***RENE RACHELLO LAZO***

***08-14-2007***

***\_\_\_\_\_\_\_\_***

***\_\_\_\_\_\_\_\_\_\_***

***8***

***8***

***08-22-2007 9:30***

***8***

***\_\_\_\_\_\_ COUNTY COURTHOUSE, COURTROOM 4***

***316 FAYETTEVILLE STREET MALL***

***RALEIGH, NC 27601***

***8***

***RETURN OF SERVICE***

***Deputy Sheriff***

***I certify that this Writ was received and served as follows.***

***Date Of Return Of Service***

***Fees And Expenses For Carrying Prisoner Back To Custodian***

***Fees And Expenses Of Bringing Prisoner To Court\****

***\*NOTE:***

***Other***

***Signature Of Person Making Return Of Service***

***Paid***

***Due***

***$***

***Paid***

***Due***

***$***

***G.S. 17-44 provides "The service of the writ shall not be complete, however, unless the applicant for the same tenders to the person in whose***

***custody the prisoner may be, if such person is a sheriff, coroner, or marshal, the fees and expenses allowed by law for bringing such prisoner,***

***nor unless he also gives bond, with sufficient security, to such sheriff, coroner, or marshal, as the case may be, conditioned that such applicant***

***will pay the charges of carrying back such prisoner."***

***G.S. 7A-311(a)(5) provides "(a) In a civil action or special proceeding, the following fees and commissions shall be assessed, collected, and***

***remitted to the county:... (5) For necessary transportation of individuals to or from State institutions or another state, the same mileage and***

***subsistence allowances as are provided for State employees."***

***AOC-G-112, Side Two, Rev. 10/96***

***1997 Administrative Office of the Courts***

***Date Writ Received Date Writ Served On Custodian***

***Date Prisoner Received From Custodian Date Prisoner Returned To Custodian***

***Name Of Person Served***

Race

Name Of Agency In Whose Custody Defendant Confined