



CHAPTER 148
ARTICLE 11A - CORRECTIONS ADMINISTRATIVE REMEDY PROCEDURE

N.C.G.S. § 148-118.2.

Effect.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2021-180, s. 19C.9(p) — fourth act in the lineage	RETRIEVED 21 September 2026, 03:37 UTC	SOURCE FINGERPRINT bf0dc9fb0a2127185134a6e1 - 52f83763dd2ec670ffd0374a - 92b8c59eb23ebbfd
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§ 148-118.2(a) Upon approval of the Administrative Remedy Procedure by a federal court as authorized and required by 42 U.S.C. 1997(e)(a), and the implementation of the procedure, this procedure shall constitute the administrative remedies available to a prisoner for the purpose of preserving any cause of action under the purview of the Administrative Remedy Procedure, which a prisoner may claim to have against the State of North Carolina, the Division of Prisons of the Department of Adult Correction, or its employees.

§ 148-118.2(b) No State court shall entertain a prisoner's grievance or complaint which falls under the purview of the Administrative Remedy Procedure unless and until the prisoner shall have exhausted the remedies as provided in said procedure. If the prisoner has failed to pursue administrative remedies through this procedure, any petition or complaint he files shall be stayed for 90 days to allow the prisoner to file a grievance and for completion of the procedure. If at the end of 90 days the prisoner has failed to timely file his grievance, then the petition or complaint shall be dismissed. Provided, however, that the court can waive the exhaustion requirement if it finds such waiver to be in the interest of justice.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
4 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

	1987		2004		2021
	TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT				
Nº	YEAR	ACT	CHARACTER		
01	1987	c. 746, s. 2	ENACTED		
02	2011	S.L. 2011-145, s. 19.1(h)	AMENDED		
03	2017	S.L. 2017-186, s. 2(tttttttt)	AMENDED		
04	2021	S.L. 2021-180, s. 19C.9(p)	AMENDED		

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 148-118.2 (2021).

PINPOINT

N.C. Gen. Stat. § 148-118.2(a) (2021).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1987, c. 746, s. 2; 2011-145, s. 19.1(h); 2017-186, s. 2(tttttttt); 2021-180, s. 19C.9(p).)

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