



CHAPTER 15A
ARTICLE 57 - PLEAS

N.C.G.S. § 15A-1011.

Pleas in district and superior courts; waiver of appearance.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2021-47, s. 7(a) — eighth act in the lineage	21 September 2026, 06:38 UTC	360646be9ffc899c19036bf0 - 899ae3577648a10201e0e3f5 - 857cb40f0247ae48

§ 15A-1011(a) A defendant may plead not guilty, guilty, or no contest "(nolo contendere)." A plea may be received only from the defendant himself in open court except in any of the following circumstances:

- (1) The defendant is a corporation, in which case the plea may be entered by counsel or a corporate officer.
- (2) There is a waiver of arraignment and a filing of a written plea of not guilty under G.S. 15A-945.
- (3) In misdemeanor cases when there is a written waiver of appearance submitted with the approval of the presiding judge.
- (4) Written pleas for the types of offenses specified in G.S. 7A-273(2) and G.S. 7A-273(2a) are authorized under G.S. 7A-148(a).
- (5) The defendant executes a waiver and plea of not guilty as provided in G.S. 15A-1011(d).
- (6) The defendant, before a magistrate or clerk of court, enters a written appearance, waiver of trial and plea of guilty and at the same time makes restitution in a case wherein the sole allegation is a violation of G.S. 14-107, the check is in an amount provided in G.S. 7A-273(8), and the warrant does not charge a fourth or subsequent violation of this statute.

§ 15A-1011(b)

A defendant may plead no contest only with the consent of the prosecutor and the presiding judge.

§ 15A-1011(c)

Upon entry of a plea of guilty or no contest or after conviction on a plea of not guilty, the defendant may request permission to enter a plea of guilty or no contest as to other crimes with which he is charged in the same or another prosecutorial district as defined in G.S. 7A-60. A defendant may not enter any plea to crimes charged in another prosecutorial district as defined in G.S. 7A-60 unless the district attorney of that district consents in writing to the entry of such plea. The prosecutor or his representative may appear in person or by filing an affidavit as to the nature of the evidence gathered as to these other crimes. Entry of a plea under this subsection constitutes a waiver of venue. A superior court is granted jurisdiction to accept the plea, upon an appropriate indictment or information, even though the case may otherwise be within the exclusive original jurisdiction of the district court. A district court may accept pleas under this section only in cases within the original jurisdiction of the district court and in cases within the concurrent jurisdiction of the district and superior courts pursuant to G.S. 7A-272(c).

§ 15A-1011(d)

A defendant may execute a written waiver of appearance and plead not guilty and designate legal counsel to appear in his behalf in the following circumstances:

- (1) The defendant agrees in writing to waive the right to testify in person and waives the right to face his accusers in person and agrees to be bound by the decision of the court as in any other case of adjudication of guilty and entry of judgment, subject to the right of appeal as in any other case; and
- (2) The defendant submits in writing circumstances to justify the request and submits in writing a request to proceed under this section; and
- (3) The judge allows the absence of the defendant because of distance, infirmity or other good cause.

§ 15A-1011(e)

In the event the judge shall permit the procedure set forth in the foregoing subsection (d), the State may offer evidence and the defendant may offer evidence, with right of cross-examination of witnesses, and the other procedures, including the right of the prosecutor to dismiss the charges, shall be the same as in any other criminal case, except for the absence of defendant.

APPARATUS I
8 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.

1973 1997 2021			
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1973	c. 1286, s. 1	ENACTED
02	1975	c. 166, s. 27	AMENDED
03	1975	c. 626, s. 1	AMENDED
04	1983	c. 586, s. 3	AMENDED
05	1987	c. 355, s. 4	AMENDED
06	1987	1987 (Reg. Sess., 1988), c. 1037, s. 64	AMENDED
07	1987	1995 (Reg. Sess., 1996), c. 725, s. 5	AMENDED
08	2021	S.L. 2021-47, s. 7(a)	AMENDED

APPARATUS II
9 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 15A-945	(a)(2)	"written plea of not guilty under"
G.S. 7A-273(2)	(a)(4)	"the types of offenses specified in"
G.S. 7A-273(2a)	(a)(4)	"offenses specified in G.S. 7A-273(2) and"
G.S. 7A-148(a)	(a)(4)	"and G.S. 7A-273(2a) are authorized under"
G.S. 15A-1011(d)	(a)(5)	"of not guilty as provided in"
G.S. 14-107	(a)(6)	"sole allegation is a violation of"
G.S. 7A-273(8)	(a)(6)	"is in an amount provided in"
G.S. 7A-60	(c)	"another prosecutorial district as defined in"
G.S. 7A-272(c)	(c)	"district and superior courts pursuant to"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-1011 (2021).

PINPOINT

N.C. Gen. Stat. § 15A-1011(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

(1973, c. 1286, s. 1; 1975, c. 166, s. 27; c. 626, s. 1; 1983, c. 586, s. 3; 1987, c. 355, s. 4; 1987 (Reg. Sess., 1988), c. 1037, s. 64; 1995 (Reg. Sess., 1996), c. 725, s. 5; 2021-47, s. 7(a).)

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