



CHAPTER 15A
ARTICLE 17 - CRIMINAL PROCESS

N.C.G.S. § 15A-303.

Criminal summons.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT c. 764, s. 5 — fifth act in the lineage	RETRIEVED 21 September 2026, 04:21 UTC	SOURCE FINGERPRINT 24134555eefe59aa6f64d5e4 - 96771b5e8c5a5ea697d8203c - 03e5ad4a01ee0765
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§ 15A-303(a)
INFRACTION

Definition. - A criminal summons consists of a statement of the crime or infraction of which the person to be summoned is accused, and an order directing that the person so accused appear and answer to the charges made against him. It is based upon a showing of probable cause supported by oath or affirmation.

§ 15A-303(b)
INFRACTION

Statement of the Crime or Infraction. - The criminal summons must contain a statement of the crime or infraction of which the person summoned is accused. No criminal summons is invalid because of any technicality of pleading if the statement is sufficient to identify the crime or infraction.

§ 15A-303(c)

Showing of Probable Cause; Record. - The showing of probable cause for the issuance of a criminal summons, and the record thereof, is the same as provided in G.S. 15A-304(d) for the issuance of a warrant for arrest.

§ 15A-303(d)

Order to Appear. - The summons must order the person named to appear in a designated court at a designated time and date and answer to the charges made against him and advise him that he may be held in contempt of court for failure to appear. Except for cause noted in the criminal summons by the issuing official, an appearance date may not be set more than one month following the issuance or reissuance of the criminal summons.

§ 15A-303(e)

Enforcement. -

- (1) If the offense charged is a criminal offense, a warrant for arrest, based upon the same or another showing of probable cause, may be issued by the same or another issuing official, notwithstanding the prior issuance of a criminal summons.
- (2) If the offense charged is a criminal offense, an order for arrest, as provided in G.S. 15A-305, may issue for the arrest of any person who fails to appear as directed in a duly executed criminal summons.
- (3) A person served with criminal summons who willfully fails to appear as directed may be punished for contempt as provided in G.S. 5A-11.
- (4) Repealed by Session Laws 1975, c. 166, s. 4.

§ 15A-303(f)

Who May Issue. - A criminal summons, valid throughout the State, may be issued by any person authorized to issue warrants for arrest.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
5 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.

197319791985

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, ss. 4, 5	AMENDED
03	1975	2nd Sess., c. 983, s. 138	AMENDED
04	1983	c. 294, s. 3	AMENDED
05	1985	c. 764, s. 5	AMENDED

APPARATUS II
3 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-304(d)	(c)	<i>"is the same as provided in"</i>
G.S. 15A-305	(e)(2)	<i>"order for arrest, as provided in"</i>
G.S. 5A-11	(e)(3)	<i>"punished for contempt as provided in"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-303 (1985).

PINPOINT

N.C. Gen. Stat. § 15A-303(a) (1985).

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, ss. 4, 5; 1975, 2nd Sess., c. 983, s. 138; 1983, c. 294, s. 3; 1985, c. 764, s. 5.)

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