



CHAPTER 15A

ARTICLE 30 - PROBABLE-CAUSE HEARING

N.C.G.S. § 15A-611.

Probable-cause hearing procedure.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	c. 166, s. 27 — second act in the lineage	21 September 2026, 03:01 UTC	f9c06aee9f221d9c236f0a04 - 325cf238f587d0de8ecf22fb - 63fd17647d25bc42

§ 15A-611(a)

At the probable-cause hearing:

- (1) A prosecutor must represent the State.
- (2) The defendant may be represented by counsel.
- (3) The defendant may testify as a witness in his own behalf and call and examine other witnesses, and produce other evidence in his behalf.
- (4) Each witness must testify under oath or affirmation and is subject to cross-examination.

§ 15A-611(b)

The State must by nonhearsay evidence, or by evidence that satisfies an exception to the hearsay rule, show that there is probable cause to believe that the offense charged has been committed and that there is probable cause to believe that the defendant committed it, except:

- (1) A report or copy of a report made by a physicist, chemist, firearms identification expert, fingerprint technician, or an expert or technician in some other scientific, professional, or medical field, concerning the results of an examination, comparison, or test performed by him in connection with the case in issue, when stated by such person in a report made by him, is admissible in evidence.

- (2) If there is no serious contest, reliable hearsay is admissible to prove value, ownership of property, possession of property in another than the defendant, lack of consent of the owner, possessor, or custodian of property to its taking or to the breaking or entering of premises, chain of custody, authenticity of signatures, and the existence and text of a particular ordinance or regulation of a governmental unit or agency.

The district court judge is not required to exclude evidence on the ground that it was acquired by unlawful means.

§ 15A-611(c)

If a defendant appears at a probable-cause hearing without counsel, the judge must determine whether counsel has been waived. If he determines that counsel has been waived, he may proceed without counsel. If he determines that counsel has not been waived, except in a situation covered by G.S. 15A-606(e) he must take appropriate action to secure the defendant's right to counsel.

§ 15A-611(d)

A probable-cause hearing may not be held if an information in superior court is filed upon waiver of indictment before the date set for the hearing.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
2 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

1974

1975

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

APPARATUS II
1 AUTHORITY

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
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G.S. 15A-606(e)

(c)

"except in a situation covered by"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-611 (1975).

PINPOINT

N.C. Gen. Stat. § 15A-611(a) (1975).

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.)

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NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

