



CHAPTER 15A

ARTICLE 48 - DISCOVERY IN THE SUPERIOR COURT

N.C.G.S. § 15A-910.

Regulation of discovery - Failure to comply.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2011-250, s. 4 — fifth act in the lineage	21 September 2026, 05:38 UTC	fc3dcae2d17b6a592fd8c45a - 4f52bf8ecedae0490c23e4c3 - f1037e3550c07f52

§ 15A-910(a)

If at any time during the course of the proceedings the court determines that a party has failed to comply with this Article or with an order issued pursuant to this Article, the court in addition to exercising its contempt powers may

- (1) Order the party to permit the discovery or inspection, or
- (2) Grant a continuance or recess, or
- (3) Prohibit the party from introducing evidence not disclosed, or
- (3a) Declare a mistrial, or
- (3b) Dismiss the charge, with or without prejudice, or
- (4) Enter other appropriate orders.

§ 15A-910(b)

Prior to finding any sanctions appropriate, the court shall consider both the materiality of the subject matter and the totality of the circumstances surrounding an alleged failure to comply with this Article or an order issued pursuant to this Article.

§ 15A-910(c)

For purposes of determining whether to impose personal sanctions for untimely disclosure of law enforcement and investigatory agencies' files, courts and State agencies shall presume that prosecuting attorneys and their staffs have acted in good faith if they have made a reasonably diligent inquiry of those agencies under G.S. 15A-903(c) and disclosed the responsive materials.

§ 15A-910(d)

If the court imposes any sanction, it must make specific findings justifying the imposed sanction.

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.

	1973		1992		2011
	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. 17	AMENDED		
03	1983	Ex. Sess., c. 6, s. 3	AMENDED		
04	2004	S.L. 2004-154, s. 9	AMENDED		
05	2011	S.L. 2011-250, s. 4	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
G.S. 15A-903(c)	(c)	"diligent inquiry of those agencies under"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-910 (2011).

PINPOINT

N.C. Gen. Stat. § 15A-910(a) (2011).

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. 17; 1983, Ex. Sess., c. 6, s. 3; 2004-154, s. 9; 2011-250, s. 4.)

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