



CHAPTER 28C

N.C.G.S. § 28C-2.

Action for receiver; contents of complaint; parties.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2025-44, s. 2 — fourth act in the lineage	21 September 2026, 03:24 UTC	da770b80f9fd37d0ca1c7bab - e9dc9bcb6dc030320638fe69 - 5a302a78b9e88016

§ 28C-2(a)

Action for Receiver to Be Instituted in the Superior Court. - If any person having an interest in any property in this State disappears and is absent from that person's place of residence and after diligent inquiry his whereabouts remains unknown to those persons most likely to know the same, for a period of 30 days or more, anyone who would be entitled to administer the estate of such absentee if the person were deceased, or any interested person, may commence a civil action and file a duly verified complaint in the superior court of either the county of such absentee's domicile, or the county where any of the absentee's property is situated.

§ 28C-2(b)

Contents of the Complaint. - The complaint shall contain the following:

- (1) The name, age, occupation, and last known residence or address of such absentee.
- (2) The date and circumstances of the absentee's disappearance.
- (2a) If applicable, either of the following:
 - a.The existence of a written finding of presumed death, as described in G.S. 8-37.1.
 - b.An averment of disappearance and continued absence for at least 90 days coincident to a disaster declaration under G.S. 166A-19.3 or a federally declared disaster.
- (3) So far as known, a schedule of all his property within this State, including property in which the absentee has an interest as tenant by the entirety, and other property in which the absentee is co-owner with or without the right of survivorship.

- (4) The names and addresses of the person who would have an interest in the estate of such absentee if the absentee were deceased.
- (5) The names and addresses of all persons known to the complainant to claim an interest in the absentee's property.
- (6) A prayer, that ancillary to the principal action, a receiver be appointed by virtue of the provisions of this Chapter to take custody and control of such property of the absentee and to preserve and manage the same pending final disposition of the action as provided in G.S. 28C-11.

§ 28C-2(c)

Parties to the Action. - The absentee, all persons who would have an interest in the estate of such absentee if the absentee were deceased, all persons known to claim an interest in the absentee's property, and all known insurers of the life of the absentee shall be made parties to the action. A guardian ad litem shall be appointed for the absentee, and shall file an answer in the absentee's behalf.

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.

196519952025

TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1965	c. 815, s. 1	ENACTED
02	1973	c. 522, s. 11	AMENDED
03	1973	c. 1329, s. 2	AMENDED
04	2025	S.L. 2025-44, s. 2	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
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G.S. 8-37.1	(b)	<i>"of presumed death, as described in"</i>
G.S. 166A-19.3	(b)	<i>"coincident to a disaster declaration under"</i>
G.S. 28C-11	(b)(6)	<i>"of the action as provided in"</i>

APPARATUS III

Citation

FULL SECTION
N.C. Gen. Stat. § 28C-2 (2025).

PINPOINT
N.C. Gen. Stat. § 28C-2(a) (2025).

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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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1965, c. 815, s. 1; 1973, c. 522, s. 11; c. 1329, s. 2; 2025-44, s. 2.)

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