

STATE OF NORTH CAROLINA

File No.

_____ County

In The General Court Of Justice
 District Superior Court Division

STATE VERSUS

Name And Address Of Defendant

Social Security No.

SID No.

Race

Sex

DOB

WORKSHEET PRIOR RECORD LEVEL FOR FELONY SENTENCING AND PRIOR CONVICTION LEVEL FOR MISDEMEANOR SENTENCING (STRUCTURED SENTENCING)

(For Offenses Committed On Or After Dec. 1, 2009)

G.S. 15A-1340.14, 15A-1340.21

I. SCORING PRIOR RECORD/FELONY SENTENCING

NUMBER	TYPE	FACTORS	POINTS
	Prior Felony Class A Conviction	X10	
	Prior Felony Class B1 Conviction	X 9	
	Prior Felony Class B2 or C or D Conviction	X 6	
	Prior Felony Class E or F or G Conviction	X 4	
	Prior Felony Class H or I Conviction	X 2	
	Prior Class A1 or 1 Misdemeanor Conviction (see note on reverse)	X 1	
SUBTOTAL			

Defendant's Current Charge(s):

If all the elements of the present offense are included in any prior offense whether or not the prior offenses were used in determining prior record level.	+ 1	
If the offense was committed while the offender was: <input type="checkbox"/> on probation, parole, or post-release supervision; <input type="checkbox"/> serving a sentence of imprisonment; or <input type="checkbox"/> on escape from a correctional institution. NOTE: If part of a plea transcript, use form AOC-CR-300 ("Transcript Of Plea"), Nos. 16 and 17.	+ 1	
County	File No.	State (if other than NC)
TOTAL		

II. CLASSIFYING PRIOR RECORD/CONVICTION LEVEL

MISDEMEANOR

No. Of Prior Convictions	Level
0	I
1 - 4	II
5 +	III

NOTE: If sentencing for a misdemeanor, total the number of prior conviction(s) listed on the reverse and select the corresponding prior conviction level.

PRIOR CONVICTION LEVEL 

- The Court has determined the number of prior convictions to be _____ and the level to be as shown above.
- In making this determination, the Court has relied upon the State's evidence of the defendant's prior convictions from a computer printout of DCI-CCH.

FELONY

Points	Level
0 - 1	I
2 - 5	II
6 - 9	III
10 - 13	IV
14 - 17	V
18 +	VI

NOTE: If sentencing for a felony, locate the prior record level which corresponds to the total points determined in Section I above.

PRIOR RECORD LEVEL 

- The Court finds the prior convictions, prior record points and the prior record level of the defendant to be as shown herein.
- In making this determination, the Court has relied upon the State's evidence of the defendant's prior convictions from a computer printout of DCI-CCH.
- In finding a prior record level point under G.S. 15A-1340.14(b)(7), the Court has relied on the jury's determination of this issue beyond a reasonable doubt or the defendant's admission to this issue.

- The Court finds that all of the elements of the present offense are included in a prior offense.
- For each out-of-state conviction listed in Section V on the reverse, the Court finds by a preponderance of the evidence that the offense is substantially similar to a North Carolina offense and that the North Carolina classification assigned to this offense in Section V is correct.
- The Court finds that the State and the defendant have stipulated in open court to the prior convictions, points, and record level.

Date _____ Name Of Presiding Judge (type or print) _____ Signature Of Presiding Judge _____

(Over)

III. STIPULATION

The prosecutor and defense counsel, or the defendant, if not represented by counsel, stipulate to the information set out in Sections I and V of this form, and agree with the defendant’s prior record level or prior conviction level as set out in Section II based on the information herein.

Date	Signature Of Prosecutor	Date	Signature Of Defense Counsel Or Defendant
------	-------------------------	------	---

**IV. DNA CERTIFICATION
(For Offenses Committed On Or After Feb. 1, 2011)**

A review of the case record (the form required by G.S. 15A-266.3A(c)) and the records of the State Bureau of Investigation (the DCI-CCH rap sheet) indicates that *(check one)*:

- 1. The defendant is **NOT** required to provide a DNA sample for this conviction because (i) the offense is not covered by G.S. 15A-266.4 or (ii) a sample of the defendant’s DNA has previously been obtained and the defendant’s DNA record is currently stored in the State DNA database.
- 2. The defendant **IS** required to provide a DNA sample for this conviction because (i) the offense is covered by G.S. 15A-266.4 and (ii) a sample of the defendant’s DNA has not previously been obtained and the defendant’s DNA record has not previously been stored in the State DNA Database, or if previously obtained and stored, the defendant’s DNA sample and record have been expunged.

Date	Name Of Prosecutor (type or print)	Signature Of Prosecutor
------	------------------------------------	-------------------------

V. PRIOR CONVICTION

NOTE: Federal law precludes making computer printout of DCI-CCH (rap sheet) part of permanent public court record.
NOTE: The only misdemeanor offenses under Chapter 20 that are assigned points for determining prior record level for felony sentencing are misdemeanor death by vehicle [G.S. 20-141.4(a2)] and, for sentencing for felony offenses committed on or after December 1, 1997, impaired driving [G.S. 20-138.1] and commercial impaired driving [G.S. 20-138.2]. First Degree Rape and First Degree Sexual Offense convictions prior to October 1, 1994, are Class B1 convictions.

Source Code	Offenses	File No.	Date Of Conviction	County (Name Of State if not NC)	Class

See AOC-CR-600 Continuation for additional prior convictions.

Source Code: 1 - DCI 3 - AOC/Local 5 - ID Bureau
 2 - NCIC 4 - AOC/Statewide 6 - Other

Date Prepared: _____
 Prepared By: _____