

10A NCAC 28C .0309 ISSUANCE OF A SEARCH WARRANT

If there is probable cause to believe that a client is in possession of the following items and if criminal prosecution of the client is anticipated, such information shall be conveyed by proper affidavit to a magistrate or other official authorized to determine whether a search warrant should be issued:

- (1) contraband or otherwise unlawfully possessed items including, but not limited to, illegal drugs, weapons, or stolen items;
- (2) an item which constitutes evidence of a criminal offense; or
- (3) an item which constitutes evidence of the identity of a person participating in a criminal offense.

*History Note: Authority G.S. 15A-241 through 15A-245; 131E-67; 143B-147;
Eff. October 1, 1984;
Amended Eff. April 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018.*