

## **12 NCAC 02H .0102 DEPOSIT AND SURETY REQUIREMENTS**

A petitioner for registration, upon filing his petition, shall deposit with the clerk of the superior court the sum of twenty-five dollars (\$25.00). If any surplus remains after the requirements of Chapter 90, Public Laws of 1913, are met, it shall be returned to the petitioner. If such deposit be not sufficient to meet such requirements pending the proceeding, a further deposit, or further deposits, shall be made upon notice by the clerk. If any person shall file an answer, interplea, or other pleading, raising any issue of law or fact, the clerk of the superior court, upon motion, may order an undertaking with good and sufficient surety, in an amount to be fixed by the clerk, to be void upon condition that the obligor pay to the adverse party all such costs as such adverse party may have incurred on the hearing and determination of such issue or issues; provided, that the undertaking prescribed shall not be required in the case of any such petitioner or person filing answer, interplea, or other pleading, as the case may be, who shall satisfy the clerk that he is unable to comply with this requirement.

*History Note: Authority G.S. 43-3;  
Eff. February 1, 1976;  
Readopted Eff. January 5, 1978;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016.*