



BUZZARD
— LAW FIRM —

FREE GUIDE · CRIMINAL DEFENSE

Arrested in North Carolina?

What Happens Next

Your rights, the first 48 hours, how a case moves through court,
and the mistakes that make a charge harder to fight.

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WHY THIS GUIDE MATTERS

A charge is not a conviction.

An arrest is frightening, whether it's for a misdemeanor or a serious felony. But being charged is the start of a process, not the end of it. What you say and do in the first hours and days can shape everything that follows.

This guide is for people who have been arrested and for family members trying to help them.

North Carolina at a glance

Stay silent

You have the right to remain silent and to have a lawyer present during questioning.

Magistrate

sets conditions of release, such as a bond, soon after arrest. N.C.G.S. § 15A-534

96 hours

A person held on a felony generally gets a first appearance before a district court judge within 96 hours. N.C.G.S. § 15A-601

Two levels

Misdemeanors are usually handled in district court; felonies go to superior court.

YOUR RIGHTS

What to do, and not do, during an arrest

- ☐ **Stay calm and don't resist**, even if you believe the arrest is wrong. Fight it in court, not on the street.
- ☐ **Say clearly: "I want to remain silent. I want a lawyer."** Then stop talking about the case.
- ☐ **Don't consent to searches.** Say "I don't consent to a search." Don't physically interfere if officers search anyway.
- ☐ **Don't explain, apologize or tell your side.** Officers can use what you say, and "just clearing things up" rarely helps.
- ☐ **Assume jail phone calls and visits are recorded.** Don't discuss the facts with family or anyone else.
- ☐ **Don't talk about the case with cellmates.**

THE PROCESS

How a criminal case usually moves

- 1 **Arrest and magistrate.** A magistrate reviews the charge and sets conditions of release, which may include a secured bond.
- 2 **First appearance.** For felonies, a judge reviews release conditions and your right to counsel.
- 3 **District court.** Misdemeanors are usually resolved here by dismissal, plea or a bench trial before a judge.
- 4 **Felony path.** Felony cases can have a probable cause hearing, then move to superior court after a grand jury indictment.
- 5 **Discovery and motions.** Your lawyer reviews the evidence and can challenge unlawful stops, searches or statements.
- 6 **Resolution.** The case may be dismissed, resolved by plea, or tried before a jury in superior court.

FAMILY MEMBERS

How to help someone who's been arrested

- Find out where they're being held, the charges, and the bond amount from the jail or the clerk of court.
- Write down the court date and file number.
- Don't discuss the facts of the case on jail calls.
- Contact a defense lawyer about release conditions and next steps.

Mistakes that make a case harder

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- 01 **Talking to police** without a lawyer, hoping to explain.
 - 02 **Posting or texting** about the arrest or the facts.
 - 03 **Contacting the alleged victim or witnesses**, which can violate release conditions.
 - 04 **Missing a court date.** It can lead to an order for your arrest and new charges.
 - 05 **Pleading guilty** at a first court date before talking to a lawyer.
 - 06 **Assuming a record is permanent.** Dismissed charges and some convictions may be eligible for expunction. N.C.G.S. ch. 15A, art. 5
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ABOUT BUZZARD LAW FIRM

Defense from lawyers who try cases.

Founder **Robert A. “Tony” Buzzard** is a recognized capital murder defense attorney who has handled hundreds of murder charges, and he trains other North Carolina lawyers to be better defenders.

We defend people charged with everything from traffic offenses and DWI to drug charges, serious felonies and federal crimes, in Harnett County and across North Carolina.



Talk to a defense lawyer first.

Call our Lillington office to schedule a consultation. Monday–Friday, 8 a.m.–5 p.m.

910-893-2900



Scan to request a consultation, or visit
buzzlawfirm.com/consult

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Fill this in from the arrest and release papers. Bring them to your consultation.

☐ Arrest warrant or citation ☐ Release order ☐ Bond paperwork ☐ Property receipt

☐ Prior record information