

DEPARTMENT OF JUSTICE  
OFFICE OF THE ATTORNEY GENERAL  
SPECIAL PROSECUTIONS SECTION

Records Retention and Disposition Schedule

The Records Retention and Disposition Schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, it is agreed that the records of the

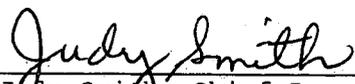
SPECIAL PROSECUTIONS SECTION

do not and will not have further official use or value for administrative, research, or reference purposes after the respective retention periods specified herein. The N.C. Department of Cultural Resources consents to the destruction or other disposition of these records in accordance with the retention and disposition instructions specified in this schedule. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule. **Public records including machine readable records not listed in this schedule are not authorized to be destroyed.** The

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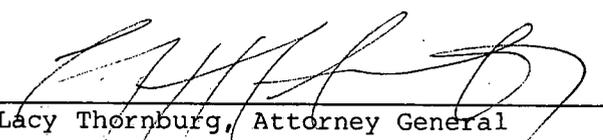
agrees to destroy, transfer or dispose of records in the manner and at the times specified herein. This schedule is to remain in effect until superseded.

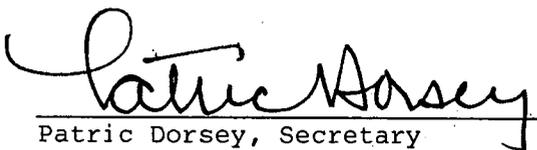
APPROVAL RECOMMENDED

  
\_\_\_\_\_  
Judy Smith, Chief Records Officer  
Department of Justice

  
\_\_\_\_\_  
William S. Price, Jr., Director  
Division of Archives and History

APPROVED

  
\_\_\_\_\_  
Lacy Thornburg, Attorney General  
Department of Justice

  
\_\_\_\_\_  
Patric Dorsey, Secretary  
Department of Cultural Resources

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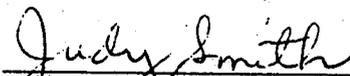
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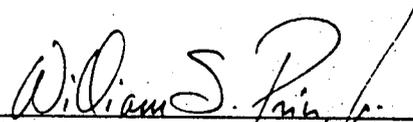
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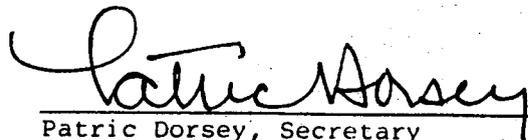
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**This schedule was modified to  
comply with the provisions of the  
General Schedule for State Agency Records,  
effective October 1, 2000  
Remaining items retain the  
original date shown below.**

February 16, 1990

MCC

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OFFICE OF THE ATTORNEY GENERAL  
SPECIAL PROSECUTIONS SECTION**

**ITEM 3743. CLOSED COURT CASES FILE.**

Records concerning all closed appellate cases assigned to and criminal cases prosecuted by Special Prosecutions Section. File may include confidential SBI investigative reports. (Comply with applicable provisions of G.S. 114-15 regarding confidentiality of records.)

DISPOSITION INSTRUCTIONS: Destroy in office confidential SBI reports after 5 years. Transfer remaining records to the State Records Center when administrative value ends. Records will be held for agency in the State Records Center 10 additional years and then transferred to the custody of the Archives.

**ITEM 3744. CAPITAL CASES FILE.**

Records concerning capital convictions and appeals including first-degree murder convictions in which a life sentence was imposed. Each case file includes correspondence, trial transcripts, briefs, and all related legal papers.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center after all appeals are exhausted and case is closed. Records will be held for agency in the State Records Center 20 additional years and then transferred to the custody of the Archives.

**ITEM 14442. ACTIVE COURT CASES FILE.**

Records concerning all appellate cases assigned to and criminal cases prosecuted by Special Prosecutions Section. Each file includes all correspondence, notes, legal documents, and other information used in preparing or prosecuting a case. File also may include confidential SBI investigative reports. (Comply with applicable provisions of G.S. 114-15 regarding confidentiality of records.)

DISPOSITION INSTRUCTIONS: Transfer to Closed Court Cases File when case is closed.

**ITEM 14445. GENERAL CORRESPONDENCE FILE.**

General correspondence and memorandums written and received by the office.

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends.

**ITEM 14448. ATTORNEY GENERAL'S CORRESPONDENCE FILE.**

Inquiries addressed to the Attorney General and assigned to this section for response.

DISPOSITION INSTRUCTIONS: Transfer original inquiry and response to the Central Files Section of the Office of the Attorney General when response has been completed.

**ITEM 14449. INFORMAL/ADVISORY LETTER OPINIONS FILE.**

Informal/advisory letter opinions written by the section attorneys. File includes copies of the requests.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center when administrative value ends. Records will be held for agency in the State Records Center 10 additional years and then destroyed.