

Application for Handgun Purchase

Permit

Please follow the steps below, to assist in simplifying your application processing in order to prevent delays!

1. COMPLETELY fill out application and health form.
2. Have mental health form NOTARIZED
(Don't sign form until you get in front of a notary)
3. Pay processing fee at the FINANCE OFFICE located in the WOMACK BUILDING (1st floor, left hallway, last office on left)
4. Return completed form to the Sheriff's Office
5. You will need a VALID ID, if using a driver's license, please make sure the address is the same address on the application.
6. Please be aware that NC State Law allows a processing time of 14 days on purchase permits, this allows us to check criminal history and mental illness/drug use.
7. Please bring a Property Tax Receipt or a copy of your most recent Power Bill for proof of residency.
8. The LAST 3 PAGES are SHERIFF'S USE ONLY!

STATE OF NORTH CAROLINA

APPLICATION FOR PERMIT(S) TO PURCHASE A HANDGUN

Name of Applicant (Last, First, Middle, Maiden) ▶ Attach listing of all previous addresses and all name changes including location and court file number (If Applicable)

NEW PERMIT

DUPLICATE

N. C. G. S. §14-402 et seq.

Street Address

Date of Birth

Social Security Number

▶ See Notification on page 2

Time at Present Address

Email Address (Optional)

City, County and State of Birth

Yrs: ___ Months: ___

City

State

Zip Code

Driver's License Number (State ID Number if no Driver's License)

State

Mailing Address:

Military Status

Active Reserve

Discharged Retired N/A

Race

▶ See below for code

Sex

Telephone Number

County of Residence

Eyes

Hair

Height

Weight

Other Physical Description

▶ RACE CODES: **A**-Asian or Pacific Islander, **B**-Black, **I**-American Indian or Alaskan Native, **U**-Unknown, **W**-White

APPLICATION

I, the undersigned applicant, hereby make application for a North Carolina Permit(s) to Purchase a Handgun and state that the following information is correct to the best of my knowledge.

(Check Appropriate Boxes)

1. Are you lawfully in the United States? (1) Yes No
2. Are you a citizen of the United States? ▶ Non US Citizens must complete the Supplementary Questions for Applicants (2) Yes No
If No, provide your Alien Admission Number here: _____ *
3. Are you 18 years of age or older? (3) Yes No
4. Are you ineligible to own, possess, or receive a firearm under the provisions of state or federal law? (4) Yes No
5. Are you under indictment or has a finding of probable cause been entered against you for a pending felony charge? (5) Yes No
6. Have you been adjudicated guilty in any court of a felony? (6) Yes* No
* If Yes: Have your firearm rights been restored pursuant to N.C.G.S. § 14-415.4, or have you received a pardon which allows you to possess firearms?
▶ If Yes, attach documentation * Yes No
7. Are you a fugitive from justice? (7) Yes No
8. Are you an unlawful user of or addicted to marijuana, or any depressant, stimulant, or narcotic drug, or any other controlled substance as defined in 21 U.S.C. § 802? (8) Yes No
9. Have you ever been adjudicated mentally incompetent or been committed to a mental institution? (9) Yes No
10. Have you been discharged from the U.S. Armed Forces under dishonorable conditions? (10) Yes No
11. Have you ever renounced your U.S. citizenship? (11) Yes No
12. Are you currently subject to a court order that restrains you from harassing, stalking, or threatening an intimate partner or child of an intimate partner, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child? (12) Yes No
13. Are you currently under any type of probation or parole? (13) Yes No

APPLICATION

Reason for the request for a Permit to Purchase a Handgun:

- 1. Protection of myself, home, business, property or family
- 2. Collecting
- 3. Target Shooting
- 4. Hunting
- 5. Number of permits requested _____

Applicant's Signature

Date Application Signed

CAUTION: Federal law and State law on the purchase or possession of handguns and firearms may differ. If you are prohibited by federal law from purchasing or possessing a handgun or a firearm, you may be prosecuted in federal court. A State permit is not a defense to a federal prosecution.

SHERIFF USE ONLY

The following items were submitted – check applicable boxes:

- | | |
|--|--|
| 1. Permit to Purchase Application <input type="checkbox"/> | 6. Date Issued Permit(s) _____ |
| 2. Nonrefundable Permit Fee(s) Paid <input type="checkbox"/>
(\$5.00 for each permit requested) | 7. Date Denied Permit(s) _____ |
| 3. Copy of Government Issued Identification <input type="checkbox"/> | 8. NICS Transaction Number (NTN) _____ |
| 4. Proof of Residency <input type="checkbox"/> | 9. Date Transactions Ran _____ |
| 5. Signed Release for Mental Health Orders <input type="checkbox"/> | 10. Permit Number(s) _____ |

Signature of Sheriff: _____

Original – Sheriff / Copy – Applicant

► **SOCIAL SECURITY NUMBER:** The disclosure of your social security number as a part of this Permit to Purchase application is voluntary. The purpose of requesting the social security number is to assist in your identification and to help distinguish you from other persons with similar names. No Permit to Purchase will be denied for failure to **disclose** a social security number.

SUPPLEMENTARY QUESTIONS FOR APPLICANTS FOR A PERMIT TO PURCHASE A HANDGUN

Prohibitions applicable to certain aliens. Federal law makes it unlawful for aliens who are illegally or unlawfully in the United States to receive or possess firearms. In addition, subject to certain exemptions, aliens who are in a non-immigrant status are prohibited from possessing or receiving firearms in the United States.

A non-immigrant alien is not subject to this prohibition if the alien falls into certain categories such as but not limited to:

- 1) Is in possession of a valid hunting license or permit lawfully issued in the United States; **OR**
- 2) Is an official representative of a foreign government who is accredited to the United States Government or his or her government's mission to an international organization having its headquarters in the United States; **OR**
- 3) Has received a waiver from the prohibition from the Attorney General of the United States. See 18 USC 922(y)(2) for additional exceptions.

In order to determine whether applicants who are not U.S. citizens are prohibited from possessing firearms under Federal law, it is necessary to obtain answers to the following questions.

1) Name: _____

2) Are you a citizen of the United States? YES NO

**If your answer to Question 2 is "YES", there is no need to answer Questions 3-8.
Go directly to the certification statement in Question 9.**

SHERIFF: If the answer to Question 2 is "YES", use "C" in the Citizenship (CTZ) field of the QNP transaction.

3) What is your country of citizenship? List more than one if applicable.

4) What is your place of birth? (City and Country) _____

5) What is your INS-issued alien number or admission number? _____

6) Are you an alien illegally in the United States? YES NO

7) Are you a non-immigrant alien? YES NO

SHERIFF: If the answer to Question 7 is "YES", proceed to Question 8a.
If the answer to Question 7 is "NO", use "F" in the Citizenship (CTZ) field of the QNP transaction.

8a) Do you fall within any of the exemptions to the non-immigrant alien prohibitions set forth in 18 USC 922(y)?
 YES NO

SHERIFF: If the answer to Question 8a is "YES", proceed to Question 8b. If the answer to Question 8a is "NO", the NICS check cannot be initiated. As a non-immigrant, the subject is ineligible to purchase, possess, or redeem a firearm if they do not meet one of the non-immigrant exemptions.

8b) If you answered "YES" to Question 8a, under which exemption do you fall? _____
Please attach documentation to support your entitlement to the claimed exemption, if applicable.

SHERIFF: Validate the exemption item and indicate the exemption in the Exception Documentation (EXC) field of the QNP transaction. Then place "F" in the Citizenship (CTZ) field of the QNP transaction.

9) **I certify that the above answers are true and correct.**

Applicant's Signature

Date

STATE OF NORTH CAROLINA

_____ County

**RELEASE OF COURT ORDERS CONCERNING
MENTAL HEALTH AND CAPACITY
FOR PISTOL PURCHASE PERMIT**

G.S. 14-404(e1)

Name And Address Of Applicant

Date Of Birth

Social Security No.

State Drivers License No. (State Identification No. If no drivers license)

State

I hereby authorize and request any and all Clerks of Superior Court of North Carolina to inform the Sheriff of the county named above whether or not the clerk's files or records contain any court orders concerning my mental health or capacity. If so, I authorize the clerk to reveal to the sheriff the court orders within any confidential court files or records that the sheriff may reasonably require in order to determine whether or not to issue a pistol purchase permit to me.

This Release may be treated as a motion in the cause for disclosure pursuant to G.S. 122C-54(d), which disclosure is necessary to enable the sheriff to determine my qualification to purchase or possess a handgun. I stipulate that a clerk may reveal to the sheriff any court orders pursuant to any specific or standing order entered in response to or anticipation of this motion.

I understand that further disclosure or redisclosure by the sheriff of any information disclosed to the sheriff pursuant to this Release is prohibited without my further written consent unless otherwise provided for by state or federal law. I understand that I may revoke this authorization at any time except to the extent that action has already been taken in reliance on this Release. Even without my express revocation, this Release will expire upon the satisfaction of the request or one year from the date below, whichever occurs first.

I authorize the sheriff to photocopy this Release after I sign it, and I authorize any clerk to whom a photocopy of this Release is presented to rely on the photocopy as being as effective as the original.

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

Date

Date

Signature Of Person Authorized To Administer Oaths

Signature Of Applicant

SEAL

Date Commission Expires

NOTE TO CLERK: This Release authorizes the disclosure of only court orders concerning the mental health or capacity of the applicant for a pistol purchase permit pursuant to G.S. 14-404. Unless requested via a separate motion under G.S. 122C-54(d) and specifically ordered by the court, the clerk may not release any records or information from an involuntary commitment proceeding other than an actual court order in response to this Release.

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STATE OF NORTH CAROLINA

POLK County

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

In Re: The Release of Confidential Information)
to Sheriffs in Connection with Applications for)
Pistol Purchase and Concealed Handgun)
Permits)

ADMINISTRATIVE ORDER

RECEIVED - 1 PM 2:04
CLERK OF COURT, N.C.

The undersigned hereby finds:

Pistol Purchase Permits - Disclosure of Court Orders Concerning Mental Health or Capacity

1. Article 52A of Chapter 14 of the General Statutes requires that a sheriff deny the issue of a pistol purchase permit (PPP) to an applicant "who has been adjudicated mentally incompetent or has been committed to any mental institution." G.S. 14-404(c)(4).
2. In order for a sheriff to have access to certain records necessary to that determination, G.S. 14-404(e1)(5), as enacted by Session Law 2015-195 and effective December 1, 2015, requires that the applicant for a PPP submit to the sheriff "[a] signed release, in a form to be prescribed by the Administrative Office of the Court, [sic] that authorizes and requires disclosure to the sheriff of any court orders concerning the mental health or capacity of the applicant to be used for the sole purpose of determining whether the applicant is disqualified to receive a permit pursuant to this section."
3. The Administrative Office of the Courts (NCAOC) has prescribed form AOC-SP-917, "Release Of Court Orders Concerning Mental Health And Capacity For Pistol Purchase Permit," as directed in G.S. 14-404(e1)(5).

Concealed Handgun Permits - Disclosure of Records Concerning Mental Health or Capacity

4. Article 54B of Chapter 14 of the General Statutes requires that a sheriff issue a concealed handgun permit (CHP) to an applicant who, among other criteria, "does not suffer from a physical or mental infirmity that prevents the safe handling of a handgun." G.S. 14-415.12(a)(3). The sheriff must deny a CHP to an applicant who "[i]s currently, or has been previously adjudicated by a court or administratively determined by a governmental agency whose decisions are subject to judicial review to be, lacking mental capacity or mentally ill." G.S. 14-415.12(b)(6).
5. In order for a sheriff to have access to certain records necessary to that determination, G.S. 14-415.13(a)(5) requires that the applicant for a CHP submit to the sheriff "[a] release, in a form to be prescribed by the Administrative Office of the Courts, that authorizes and requires disclosure to the sheriff of any records concerning the mental health or capacity of the

applicant to be used for the sole purpose of determining whether the applicant is disqualified for a permit under the provisions of G.S. 14-415.12.”

6. The NCAOC has prescribed form AOC-SP-914 (also numbered as AOC-SP-914M), “Release Of Physical And Mental Health, Substance Abuse And Confidential Court Records For Concealed Handgun Permit” as directed in G.S. 14-415.13(a)(5).

Certain Records May Be Released Only Upon a Court Order

7. Some court orders and records concerning the mental health or capacity of an applicant for a PPP or a CHP will be contained in the court’s files of involuntary commitment (IVC) proceedings under Article 5 of Chapter 122C of the General Statutes.
8. Records of IVC proceedings are confidential and not open to the general public, “except as provided for by G.S. 122C-54(d).” G.S. 122C-207. G.S. 122C-54(d) provides, “Any individual seeking confidential information contained in the court files or the court records of a proceeding made pursuant to Article 5 of this Chapter may file a written motion in the cause setting out why the information is needed.” In response to such a motion, a district court judge may order disclosure of the confidential information upon making the findings set out in Paragraphs 10 through 12 of this Order.
9. Both release forms prescribed by the NCAOC contain the applicant’s request that the release be “treated as a motion in the cause” for the purposes of G.S. 122C-54(d). Both forms further acknowledge that the clerk may disclose the relevant records to the sheriff pursuant to any specific or standing order entered in response to or anticipation of that motion.
10. It is in the best interests of the public that the sheriff adequately be able to evaluate the mental health and capacity of an applicant for a PPP or a CHP. Adequate evaluation requires access to certain records from IVC proceedings before the courts.
11. It is in the best interests of the applicant that his/her application be decided promptly and without the undue burden of seeking a separate hearing and court order for the release of confidential court records for each such application.
12. Given the regular volume of applications submitted for PPPs and CHPs, and given this Court’s limited resources to devote to separate hearings and orders for every such application, it is appropriate to the circumstances to address all such applications in a uniform order for disclosure.
13. The undersigned is a district court judge authorized by G.S. 122C-54(d) to order the release of records of IVC proceedings when appropriate.


NOW, THEREFORE, it is hereby ORDERED, effective December 1, 2015:

14. Pistol Purchase Permit Applicants. Upon presentation by a sheriff or sheriff’s designee of form AOC-SP-917, duly executed by an applicant for a pistol purchase permit, the clerk of

superior court shall disclose to the sheriff any court orders concerning the mental health or capacity of the applicant. This disclosure shall be limited to court orders, only. The clerk shall not disclose to the sheriff any information from confidential court records other than actual orders of the court in reliance on the AOC-SP-917, unless otherwise directed in a separate order specific to the proceeding in which the information or record was entered.

15. Concealed Handgun Permit Applicants. Upon presentation by a sheriff or sheriff's designee of form AOC-SP-914 (also AOC-SP-914M), duly executed by an applicant for a concealed handgun permit, the clerk of superior court shall inform the sheriff whether or not the clerk's records contain an IVC proceeding in the applicant's name, and if so, the clerk shall disclose to the sheriff any confidential information in the applicant's name, and if so, the clerk shall disclose proceeding that the sheriff may reasonably require in order to determine whether or not to issue a concealed handgun permit. This disclosure is not limited to only court orders concerning the mental health or capacity of the applicant for a concealed handgun permit.
16. The clerk shall place in each court file from which information is revealed to the sheriff a copy of the applicant's release form, AOC-SP-914 or AOC-SP-917, and a copy of this Order. The clerk shall note in the file the date on which and the person to whom information was disclosed pursuant to this Order.

Entered this, the 30th day of November, 2015.



Mack Britain
Acting Chief District Court Judge