

§ 15A-278. Contents of order.

An order to appear must be signed by the judge and must state:

- (1) That the presence of the person named or described in the affidavit is required for the purpose of permitting nontestimonial identification procedures in order to aid in the investigation of the offense specified therein;
- (2) The time and place of the required appearance;
- (3) The nontestimonial identification procedures to be conducted, the methods to be used, and the approximate length of time such procedures will require;
- (4) The grounds to suspect that the person named or described in the affidavit committed the offense specified therein;
- (5) That the person is entitled to be represented by counsel at the procedure, and to the appointment of counsel if he cannot afford to retain one;
- (6) That the person will not be subjected to any interrogation or asked to make any statement during the period of his appearance except that required for voice identification;
- (7) That the person may request the judge to make a reasonable modification of the order with respect to time and place of appearance, including a request to have any nontestimonial identification procedure other than a lineup conducted at his place of residence; and
- (8) That the person, if he fails to appear, may be held in contempt of court. (1973, c. 1286, s. 1.)