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The petition must be dismissed if the court finds that the State has failed to show probable cause that the juvenile committed the alleged felony unless the court finds probable cause that the juvenile committed a lesser included misdemeanor offense. G.S. 7B-2202(f)(1)–(2). Because jeopardy does not attach at a probable cause hearing, a subsequent petition is not barred by double jeopardy. *See In re Bullard*, 22 N.C. App. 245, 249 (1974) (determination of probable cause does not place the juvenile in jeopardy). There may be a defense, however, if there is a significant delay in the filing of a new petition. *See supra* § 6.3C, Timeliness of Filing.

If the court finds probable cause to believe that the juvenile committed a lesser included misdemeanor offense, the court may either proceed to adjudication or set a date for an adjudicatory hearing. G.S. 7B-2202(f)(2). If the court proceeds to adjudication, the adjudication must be a separate hearing. *Id.* The juvenile may request a continuance if needed. G.S. 7B-2406.