

§ 53B-6. Delayed notice.

Upon application of a government authority, a superior court judge may order that the customer notice required by G.S. 53B-5 be delayed if the court finds there is reason to believe that:

- (1) The financial record to which access is sought is relevant to a legitimate government inquiry; and
- (2) Notice to the customer will:
 - a. Endanger life or physical safety of any person;
 - b. Result in flight from prosecution;
 - c. Lead to intimidation of a witness;
 - d. Result in destruction of or tampering with evidence; or
 - e. Otherwise seriously jeopardize the government inquiry or an official proceeding or investigation.

A court order granting delay of notice to a customer under this section shall set out the specific facts supporting its findings, specify the period of delay, and direct that the government authority shall serve on the customer at the end of that period a copy of the court order or subpoena and a notice that the records have been furnished. (1985 (Reg. Sess., 1986), c. 1002, s. 1.)