FILED
DATE: February 9, 2026
TIME: 11:38:45 AM
PENDER COUNTY
CLERK OF SUPERIOR COURT
BY: D. Pence

STATE OF NORTH CAROLINA
COUNTY OF PENDER

IN GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO.: 22CR050143-700

STATE OF NORTH CAROLINA	)	
	)	
	)	NOTICE OF INTENT TO PROCEED NON-CAPITAL
vs.	)	
	)	
David Prevatte,	)	
Defendant.	)	

NOW COMES THE STATE OF NORTH CAROLINA, by and through the undersigned Assistant District Attorney for the 6th Prosecutorial District, and hereby gives notice to the Defendant of its intention to no longer seek capital punishment in this action.

This the 9th day of February, 2026.

Shirley B. Smircic
Assistant District Attorney
6th Prosecutorial District

CERTIFICATE OF SERVICE

I, Shirley B. Smircic, Assistant District Attorney for the 6th Prosecutorial District, hereby certify that I have served a copy of the foregoing notice on the Attorneys for the Defendant via email.

This the 9th day of February, 2026.

Shirley B. Smircic
Assistant District Attorney
6th Prosecutorial District