**NORTH CAROLINA COURT OF APPEALS**

APPEAL INFORMATION STATEMENT

From

County/Agency

Trial Docket No.

v.                           COA Docket No. \_\_ Trial Judge

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Party(ies) filing appeal

1. Date judgment entered

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. Date of Notice of Appeal

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 3. (a). Is this a final judgment as to all claims and all parties? \_\_ Yes                     No.

\_\_

(b). If no, state the basis on which the judgment/order is immediately appealable. 4. (a). Check the appropriate line(s) best describing the nature of the case:

\_\_Alimony

\_\_Attorneys' fees \_\_Child custody/support \_\_Construction law \_\_Contempt

\_\_Contract law \_\_Corporate law \_\_Criminal law, DWI \_\_Criminal law, habitual

felon

\_\_Criminal law,

probation revocation \_\_Criminal law, other

Specify

\_\_Debtor/creditor rights

Other (specify)

\_\_Driver's license

revocation \_\_Education law \_\_Employment and Labor \_\_Environmental law \_\_Equitable distribution \_\_Health care \_\_Insurance, auto \_\_Insurance, other \_\_Intentional torts \_\_Juvenile, delinquent \_\_Juvenile, other \_\_Landlord/tenant \_\_Negligence \_\_Paternity

\_\_Products liability

(b). Check the appropriate line(s) to show the

\_\_Administrative ruling \_\_Declaratory judgment \_\_Directed verdict \_\_Dismissal

Other (specify)

5. State issues to be raised on the appeal *(attach one additional page if necessary):*

|  |
| --- |
| \_\_Yes \_\_No. If yes, provide appellate court docket number(s): -------------- |
|  |

6. (a). Has any prior appeal in this case been filed in either appellate court?

\_\_Yes \_\_No. If yes, provide appellate court docket number:  (b). Are any other appeals in this case pending before either state appellate court?

(c). To your knowledge, are there any other appeals raising substantially

related issues pending before either appellate court? \_\_Yes \_\_No.

If yes, provide case name(s) and docket number(s), if known, and explain the manner in which the appeals are related:

**.**

7. (a). Are there essential questions raised by this appeal that cannot be adequately presented by the written briefs alone and therefore require oral argument? \_\_Yes \_\_No.

(b). Do you request oral argument on this appeal? \_\_Yes \_\_No.

8. Has this appeal, or the matters with which the appeal is concerned, been settled or rendered moot? \_\_Yes \_\_No. If yes, please explain:

If no, the undersigned hereby certifies that he/she will promptly notify the Court

of Appeals if the appeal is hereafter settled or rendered moot.                 *(please initial)*

9. Is there any reason why this appeal should be expedited? \_\_Yes \_\_No. If yes, please explain:

10. Has the execution or enforcement of the order, judgment or other determination from which the appeal has been taken been stayed pending disposition of the appeal? \_\_Yes \_\_No.

The undersigned attorney for the appellant(s), or the pro se appellant, hereby certifies that the information provided herein is true to the best of his/her own knowledge.

*(Type name(s), address and telephone*number *under signature.)*

*(Attach certificate of service).*

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**INSTRUCTIONS**

1. These instructions govern the preparation and filing of the APPEAL INFORMATION STATEMENT adopted by the North Carolina Court of Appeals and required by Rule 41 of the North Carolina Rules of Appellate Procedure.

2. An APPEAL INFORMATION STATEMENT shall be completed and filed by the appellant(s) for each record on appeal filed with the Court of Appeals.

3. The Clerk of the Court of Appeals shall provide a copy of the APPEAL INFORMATION STATEMENT form to counsel or parties of record once the record on appeal has been docketed with the Court of Appeals.

4. Responses to inquiries on the APPEAL INFORMATION STATEMENT shall be typed, unless the form indicates otherwise.

5. In all appeals filed with the Court of Appeals, the appealing party or parties

shall file the completed APPEAL INFORMATION STATEMENT with the Clerk of the

North Carolina Court of Appeals, P.O. Box 2779, Raleigh, NC 27602-2779, at or before the time the appellant's brief is filed, with service upon all other parties.

6. The APPEAL INFORMATION STATEMENT is not a brief and should not contain argument or motions. The issues should be expressed thoroughly but without unnecessary detail. Counsel or pro se parties should make every effort to include in the APPEAL INFORMATION STATEMENT all of the issues that will be presented to the court.

7. The Court of Appeals may impose sanctions on counsel or pro se parties who fail to complete and file this form.

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