

NORTH CAROLINA COURT OF APPEALS

APPEAL INFORMATION STATEMENT

From _____ County/Agency
Trial Docket No. _____
v. COA Docket No. _____
Trial Judge _____

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
__ 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
__ Professional malpractice
__ Real property rights
__ Sanctions
__ Slip and fall
__ Taxation
__ Termination of parental rights
__ Tort Claims Act
__ Unemployment compensation
__ Unfair and deceptive practices
__ Utilities
__ Wills, trusts, estates
__ Workers' compensation
__ Wrongful death
__ Wrongful discharge
__ Zoning/annexation
__ Other (specify) _____

(b). Check the appropriate line(s) to show the ruling being appealed:

- __ Administrative ruling
__ Declaratory judgment
__ Directed verdict
__ Dismissal
__ Injunction
__ Judgment (bench trial)
__ Judgment (guilty plea)
__ Judgment (jury verdict)
__ Judgment notwithstanding the verdict
__ Judgment (probation revocation)
__ Summary judgment
__ Other (specify) _____

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

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?
 __Yes __No. If yes, provide appellate court docket number(s): _____
- (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.

Signed this the ____ day of _____, 19____.

 (signature)

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

(Attach certificate of service).

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.