

# STATE OF NORTH CAROLINA

File No.

Additional File No.(s)

\_\_\_\_\_ County

**NOTE:** Use this form for appellate entries in a civil contempt proceeding when the party held in contempt is the appealing party. For appellate entries in a civil contempt proceeding when the movant is the appealing party, use AOC-CV-112.

In The General Court Of Justice  
 District  Superior Court Division

Name Of Plaintiff		<h2 style="margin: 0;">APPELLATE ENTRIES FOR CONTEMNOR IN CIVIL CONTEMPT PROCEEDING</h2> <p><input type="checkbox"/> Indicate if an appeal from a confidential proceeding</p> <p style="font-size: small;">Rules 7, 9, 11, and 27 of the N.C. Rules of Appellate Procedure</p>	
<b>VERSUS</b>			
Name Of Defendant			
<b>IN THE MATTER OF</b>		Name And Address Of Movant's (Non-Appealing Party's) Attorney At Hearing (if Non-Appealing Party did not have an attorney, include name and address of Non-Appealing Party) <b>NOTE: Movants are <u>not</u> entitled to appointment of appellate counsel by the Parent Defender, regardless of indigency status.</b>	
Name(s) Of Juvenile(s)			
Date(s) Of Hearing(s) Upon Which Appealed Order(s) Is Based		Telephone No. _____ Email Address _____  Name And Address Of Appealing Party's Appellate Counsel <input type="checkbox"/> <b>The Parent Defender T: (919) 354-7230 F: (919) 354-7231</b> <b>123 W. Main Street, Suite 308, Durham, NC 27701</b> <b>email: Judicial.ParentRepCoordDM@nccourts.org</b> <b>NOTE: All appeals for indigent contemnors are assigned to the Parent Defender.</b> <input type="checkbox"/> Retained Appellate Counsel	
Name And Address Of Party Held In Contempt (Appealing Party)			
Name And Address Of Appealing Party's Attorney At Hearing (if Appealing Party did not have an attorney, indicate that fact in this box, e.g., "Appealing Party represented self")		Telephone No. _____ Email Address _____  Telephone No. _____ Email Address _____	
Telephone No. _____ Email Address _____			
Name And Address Of Trial Transcriptionist (if applicable)		Name And Address Of Movant's (Non-Appealing Party's) Appellate Counsel	
Telephone No. _____ Email Address _____		Telephone No. _____ Email Address _____	

### JUDGE'S INITIAL APPEAL ENTRIES

1. The above-named appealing party has given Notice of Appeal to the N.C. Court of Appeals from the District Court or Superior Court's Order of civil contempt filed on (specify date) \_\_\_\_\_.
2. Based on the appealing party's affidavit of indigency, the Court finds that
  - a. The appealing party is not indigent.
  - b. The appealing party is indigent. Therefore, it is ORDERED that:
    - i. The Parent Defender is appointed to perfect the appeal and to represent the appealing party as the appellant or assign other appellate counsel pursuant to rules issued by the Office of Indigent Defense Services.
    - ii. The Office of Indigent Defense Services shall pay the costs of producing a transcript, and of reproducing the record, the appealing party's brief, and other pleadings.
    - iii. For appeals from district court cases, the Clerk shall duplicate the audio recording of the hearing(s), date(s) listed above, and shall deliver the duplicate recording to the person designated to produce a transcript of the hearing(s). No fee shall be charged for the cost of the duplicated recording.
    - iv. For appeals from superior court cases, the Clerk shall order from the transcriptionist(s) a transcript of all parts of the proceeding.
    - v. The Clerk shall serve on the transcriptionist(s), the Office of the Parent Defender, and on any other party a copy of these Appellate Entries and a copy of the order(s) being appealed, no later than 14 days after the date of the judge's signature immediately below.
    - vi. The Clerk shall furnish to appellate counsel assigned by the Parent Defender a copy of the complete trial division file in the case, including any documentary exhibits.
3. The appealing party who is not indigent shall arrange for the transcription of the proceedings as provided in the Rules of Appellate Procedure. The appealing party who is not indigent shall make arrangements with the Clerk for reproducing copies of the trial division file and shall pay the required costs. The appealing party who is not indigent shall pay the costs of reproducing the record on appeal and appellant's briefs or other pleadings.

Original-File Copy-Transcriptionist(s) Copy-Appealing Party's Appellate Counsel (or Appealing Party, if unrepresented) Copy-Appealing Party's Trial Counsel  
 Copy-Non-Appealing Party's Attorney (or Non-Appealing Party, if unrepresented)  
 Material opposite unmarked squares is to be disregarded as surplusage.

**JUDGE'S INITIAL APPEAL ENTRIES (continued)**

4. If this is an appeal from a confidential proceeding, the transcriptionist shall maintain strict confidentiality of the record(s) in accordance with the statutes. The transcriptionist shall return the duplicate recording of this proceeding and the copy of the court order to the custody of the Clerk of Superior Court immediately upon the completion of the transcription of this matter. The Clerk's office, upon receipt of the duplicate recording of this confidential proceeding, shall follow its protocol for destruction at the appropriate time. The appealing party who is not indigent shall submit a completed AOC-G-115 form to this Court designating the person authorized to listen to and transcribe the audio verbatim recording of the above-named confidential proceeding.

5. The appealing indigent party does not read or speak the English language, but reads and/or speaks his or her native language of \_\_\_\_\_. The Court therefore authorizes the services of a language translator or interpreter during the pendency of the appeal for the purposes of (1) written translation of attorney-client correspondence, list of proposed issues on appeal in the settled record on appeal, appellate briefs filed by the appealing indigent party and the non-appealing party, and appellate opinion(s) and/or (2) verbal interpretation of attorney-client communication at each critical stage of the appellate proceedings.

The Court further Orders that a language translator or interpreter with the necessary knowledge, skill, experience, training and education to perform the above services shall be selected and paid by the Administrative Office of the Courts.

6. If the appellant has been found not indigent in No. 2.a, above, the Clerk shall deliver a copy of these Appellate Entries to the counsel for all parties, or to the parties themselves if not represented by counsel.

Date	Name Of Judge (type or print)	Signature Of Judge
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**CLERK'S TRANSCRIPT ORDER AND CERTIFICATE**

(NOTE: To be completed ONLY when appellant has been found indigent in No. 2.b, above.)

**Designated Transcriptionist:** The Clerk of Court hereby designates the person named below to receive a duplicate recording of the hearing(s) in this district court action (if applicable). The designated person is authorized to listen to the duplicate recording and to transcribe the proceedings verbatim:

Name, Address And Telephone No. Of Authorized Person (type or print)

**To The Trial Transcriptionist(s) Named On The Reverse (if applicable):** Prepare and deliver to the parties a transcript of all portions of the proceedings in the above-captioned case, within the deadline set out in Rule 7(e)(1) of the N.C. Rules of Appellate Procedure.

I certify that I served a copy of these Appellate Entries on counsel for all parties, or on the parties themselves if not represented by counsel, and on each transcriptionist, on the date shown below:

personally  by mailing it to the listed recipients at the addresses shown above and on Side One.

Date Clerk's Transcript Order Entered And Filed	Date Order Served And Delivered, If Different
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Name Of Clerk (type or print)	Signature Of Clerk	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court
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**EXTENSION OF TIME TO DELIVER TRANSCRIPT OR SERVE RECORD**

1. **Extension of time to deliver transcript:** Pursuant to Rule 27(c)(1) of the N.C. Rules of Appellate Procedure, upon motion of the appellant and for good cause shown, it is ORDERED that the time for delivery of the transcript is extended for 30 days to and including \_\_\_\_\_.

2. **Extension of time to serve proposed record on appeal:** Pursuant to Rules 11 and 27 of the N.C. Rules of Appellate Procedure, upon motion of the appellant and for good cause shown, it is ORDERED that the time for service of the proposed record on appeal is extended for 30 days to and including \_\_\_\_\_.

**NOTE:** Pursuant to Rule 27(c)(1), N.C. Rules of Appellate Procedure, the trial court may grant only one extension each of the deadline for delivery of a transcript and the deadline for service of the proposed record on appeal. Any motion for an additional extension of either deadline must be made to the appellate court to which appeal has been taken.

Date	Name Of Judge (type or print)	Signature Of Judge
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**TRANSCRIPTIONIST'S CERTIFICATE OF DELIVERY**

I delivered the transcript, made up of \_\_\_\_\_ pages in \_\_\_\_\_ volumes, electronically to all of the parties described above

except as to the following party(ies) who are not able to receive electronic delivery, where I have instead delivered the transcript

personally  by mail: \_\_\_\_\_ (name party(ies) not receiving transcript electronically).

Date Transcript Delivered To Parties	Name Of Transcriptionist	Signature Of Transcriptionist
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**CLERK'S CERTIFICATION**

I certify this Appellate Entries form is a true and complete copy of the original on file in this case.

Date	Signature And Seal	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court
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Material opposite unmarked squares is to be disregarded as surplusage.