

STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice
District Court Division

_____ County

IN THE MATTER OF

**APPELLATE ENTRIES
INVOLUNTARY COMMITMENT**

G.S. 122C-272, -288

Name And Address Of Appealing Respondent

Name And Address Of Appealing Respondent's Attorney In District Court (if respondent did not have an attorney, indicate that fact in this box, e.g., "Respondent Represented Self")

Name And Address Of Petitioner's Attorney

Telephone No.

Respondent 1's Attorney's Email Address (if available)

Petitioner's Attorney's Email Address (if available)

Respondent's Initial Appellate Counsel

**The Appellate Defender T: (919) 354-7210 F: (919) 354-7211
123 W. Main Street, Suite 500, Durham, NC 27701**

(The Appellate Defender is appointed when the respondent is indigent.)

Name, address, and telephone number of retained appellate counsel

Telephone No.

Date(s) Of Hearings(s) On Which Appealed Order(s) Is Based

JUDGE'S INITIAL APPEAL ENTRIES

1. Pursuant to G.S. 122C-272 or G.S. 122C-288, the respondent has given Notice of Appeal to the N.C. Court of Appeals from the District Court's Order entered (signed by the judge and filed) on (specify date) _____.
2. The respondent 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, appellate briefs filed by the respondent and the State, 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.
3. Based on the respondent-appellant's affidavit of indigency, the Court finds that
 - The respondent is not indigent.
 - The respondent is indigent. Therefore, it is ORDERED that the respondent is allowed to appeal as an indigent and:
 - a. The Office of Indigent Defense Services shall pay the costs of producing a transcript for the respondent and of reproducing the record and the respondent's brief and other pleadings.
 - b. The Appellate Defender is appointed to perfect the respondent's appeal.
 - c. The Clerk shall furnish to the respondent's appellate counsel a copy of the complete trial division file in the involuntary commitment proceeding and, upon request, any documentary exhibits, unless the clerk has furnished a copy to trial counsel for use in the appeal.
 - d. The Clerk shall duplicate the audio recording of the hearing(s), date(s) listed above, and shall deliver the duplicate recording and two copies of these Appellate Entries to the person designated by the AOC Court Reporter Coordinator to produce a transcript of the hearing(s). No fee shall be charged for the cost of the duplicate recording.
 - e. The Clerk shall serve on the Office of the Appellate Defender a copy of these Appellate Entries and a copy of the order(s) from which the respondent appeals, no later than 14 days after the date of the judge's signature immediately below.
 - f. The Clerk also shall serve a copy of these Appellate Entries on counsel for all other parties, or on the parties themselves if not represented by counsel, and on each transcriptionist, no later than 14 days after the date of the judge's signature immediately below.

Date

Name Of Judge (type or print)

Signature Of Judge

(Over)

CLERK'S TRANSCRIPT ORDER AND CERTIFICATE

(NOTE: To be completed ONLY when defendant has been found indigent in No. 3, above.)
The Clerk of Court hereby designates the person named below to receive a duplicate recording of the hearing(s) in this action. 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 Authorized Person Named Above:

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.

The Court orders that you maintain strict confidentiality of the record(s) in accordance with the statutes. You shall return the duplicate recording of this proceeding to the custody of the Clerk of Superior Court immediately upon the completion of the transcription of this matter. The Clerk, upon receipt of the duplicate recording of this confidential proceeding, shall erase it.

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, and that I delivered a copy to the Appellate Defender's Office if the Office has not been appointed as the respondent's appellate counsel, on the date shown below:

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

Date Clerk's Transcript Order Entered And Filed

Date Order Served And Delivered, If Different

Name Of Clerk (type or print)

Signature Of Clerk

Deputy CSC Assistant CSC
 Clerk Of Superior Court

TRACKING AND RECEIPT

I have transmitted to the authorized person named above the duplicate recording and two copies of these Appellate Entries by

personally delivering it to that person.
 by mailing it via the U.S. Postal Service to that person.

Date Transmitted

Signature

Deputy CSC Assistant CSC
 Clerk Of Superior Court

I have received the duplicate recording from the Clerk of Superior Court and have acknowledged receipt by promptly returning to the Clerk this signed copy of the Court's Appellate Entries.

Date Received

Signature Of Person Authorized to Transcribe

The duplicate of the recording has been returned to the Clerk Of Superior Court by the authorized person.

Date Returned

Signature

Deputy CSC Assistant CSC
 Clerk Of Superior Court

THIRTY DAY EXTENSION OF TIME TO DELIVER TRANSCRIPT

Pursuant to Rule 27(c)(1) of the N.C. Rules of Appellate Procedure, upon motion of the respondent, and for good cause shown, it is

ORDERED that the time for delivery of the transcript is extended 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 of the deadline for delivery of a transcript. Any motion for an additional extension of the deadline must be made to the appellate court to which appeal has been taken.

Date

Name Of Judge (type or print)

Signature Of Judge

THIRTY DAY EXTENSION OF TIME TO SERVE PROPOSED RECORD ON APPEAL

Pursuant to Rules 11 and 27, N.C. Rules of Appellate Procedure, upon motion of the respondent, 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 of the deadline for service of the proposed record on appeal. Any motion for an additional extension of the deadline must be made to the appellate court to which appeal has been taken.

Date

Name Of Judge (type or print)

Signature Of Judge

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

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

Deputy CSC Assistant CSC
 Clerk Of Superior Court

Material opposite unmarked squares is to be disregarded as surplusage.