



North Carolina Judicial Branch

Statistical and Operational Report

APPELLATE COURTS

July 1, 2012–June 30, 2013



Appellate Courts Report

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SUPREME COURT

2012–13 Caseload

The first two tables in the Supreme Court subsection give 10-year trend data for appeals docketed and disposed and petitions docketed and disposed. The table following presents the court's caseload inventory for fiscal year (FY) 2012–13, broken down by the types of cases the court hears. The following two tables summarize case activity in those cases reaching the decision stage and the disposition of petitions for review. The next table shows the various

methods of dispositions of appeals—signed opinion, per curiam opinion (unsigned), and dismissal or withdrawal—as well as the types of disposition (e.g., affirmed, reversed). The final table gives Supreme Court processing times for appeals disposed by signed or per curiam opinion. For more information on the Supreme Court, see the summary in the North Carolina Judicial Branch structure section of this report.

NORTH CAROLINA SUPREME COURT Appeals Docketed and Disposed

Fiscal Year	Appeals docketed	Appeals disposed
2012–13	139	143
2011–12	120	84
2010–11	121	105
2009–10	127	105
2008–09	147	118
2007–08	204	204
2006–07	246	214
2005–06	204	196
2004–05	234	239
2003–04	182	192

NORTH CAROLINA SUPREME COURT Petitions docketed and disposed

Fiscal Year	Petitions docketed	Petitions disposed
2012–13	632	636
2011–12	624	604
2010–11	641	622
2009–10	642	648
2008–09	589	618
2007–08	569	590
2006–07	539	530
2005–06	672	687
2004–05	547	574
2003–04	678	664

NORTH CAROLINA SUPREME COURT Caseload inventory

Cases filed	Begin pending (7/1/12)	Filed	Disposed	End pending (6/30/13)
PETITIONS FOR REVIEW*				
Civil domestic	3	18	19	2
Juvenile	1	24	17	8
Other civil	74	247	252	69
Criminal (including death sentences)	92	341	346	87
Administrative agency decision	0	2	2	0
Total petitions for review	170	632	636	166
APPEALS**				
Civil domestic	2	3	3	2
Petitions for review granted that became civil domestic appeals	0	1	0	1
Juvenile	1	0	1	0
Petitions for review granted that became juvenile appeals	0	1	0	1
Other civil	23	37	38	22
Petitions for review granted that became other civil appeals	0	16	15	1
Criminal, defendant sentenced to death	2	3	4	1
Other criminal	24	56	63	17
Petitions for review granted that became other criminal appeals	0	22	19	3
Administrative agency decision	0	0	0	0
Petitions for review granted that became appeals of administrative agency decision	0	0	0	0
Total appeals	52	139	143	48
OTHER PROCEEDINGS				
Rule 16(b) additional issues		10	10	
Motions		659	661	
Total other proceedings		669	671	

*Petitions for review are cases in which the court is asked to accept discretionary review of decisions of the Court of Appeals as well as other tribunals.

**The Appeals category comprises cases within the court's appellate jurisdiction.

NORTH CAROLINA SUPREME COURT Submission of Cases Reaching Decision Stage

Cases argued	Number of cases
Civil domestic	4
Juvenile	1
Other civil	32
Criminal (death sentence)	0
Other criminal	22
Administrative agency decision	0
Total	59

Submission without arguments	Number of cases
By motion of the parties [Appellate Rule 30(d)]	0
By motion of the court [Appellate Rule 30(f)]	0
Total	0

NORTH CAROLINA SUPREME COURT Dispositions of Petitions

Petitions for review	Granted	Denied	Dismissed / withdrawn	Other	Total
Civil domestic	1	17	1	0	19
Juvenile	2	13	2	0	17
Other civil	18	191	39	4	252
Criminal (death sentence)	0	4	1	2	7
Other criminal	39	247	73	19	380
Administrative agency decision	0	1	1	0	2
Post conviction	0	1	0	0	1
Total	60	474	117	25	678

NORTH CAROLINA SUPREME COURT Processing Time from Docket to Opinion*

Type of Case	Number of Cases	Median (Days)	Mean (Days)
Civil domestic	3	326	237
Petitions for review granted that became civil domestic appeals	1	226	226
Juvenile	1	424	424
Petitions for review granted that became juvenile appeals	1	424	424
Other civil	20	255	279
Petitions for review granted that became other civil appeals	12	408	447
Criminal, defendant sentenced to death	0	0	0
Other criminal	8	280	267
Petitions for review granted that became other criminal appeals	14	694	673
Administrative agency decision	0	0	0
Petitions for review granted that became appeals of administrative agency decision	0	0	0
Total	61	383	287

*Only cases disposed by signed opinion or per curiam opinion are included.

NORTH CAROLINA SUPREME COURT Dispositions of Appeals

Dispositions by withdrawal or dismissal	Number of cases
Civil domestic	2
Juvenile	2
Other civil	49
Criminal (death sentence)	0
Other criminal	173
Administrative agency decision	0
Total	226

NORTH CAROLINA SUPREME COURT Dispositions of Appeals

Dispositions by signed opinion*	Affirmed	Affirmed in part; reversed in part	Affirmed in part; reversed in part; remanded	Reversed	Reversed and remanded	Other	Total dispositions
Civil domestic	0	0	0	1	1	0	2
Juvenile	0	0	0	0	0	0	0
Other civil	3	2	2	3	4	2	16
Criminal (death sentence)	0	0	0	0	0	0	0
Other criminal	1	0	2	7	1	2	14
Administrative agency decision	0	0	0	0	0	0	0
Total	4	2	4	11	6	4	31

*No activity was reported for New sentencing hearing, New trial. There was one No error (other criminal).

Dispositions by Per Curiam opinion**	Affirmed	Reversed	Reversed and remanded	Other	Total dispositions
Civil domestic	1	0	0	1	2
Juvenile	0	0	0	1	1
Other civil	10	3	1	2	16
Criminal (death sentence)	0	0	0	0	0
Other criminal	4	0	5	3	12
Administrative agency decision	0	0	0	0	0
Total	15	3	6	7	31

**No activity was reported for Affirmed in part, reversed in part; Affirmed in part, reversed in part, remanded; New sentencing hearing; New trial; No error.

COURT OF APPEALS

2012–13 Caseload

In addition to trend data for the past 10 years, the following tables provide filings and dispositions for cases on appeal, petitions, and motions during FY 2012–13. “Cases on appeal” include cases appealed from district courts, superior courts, and administrative agencies. They are counted as appeals only after a record is filed with the clerk’s office and a docket number is assigned. The “petition” category includes petitions involving only the four extraordinary writs set out in Article V of the Rules of Appellate Procedure: certiorari, mandamus, prohibition, and supersedeas. “Motions” encompass any type of relief sought from the Court of Appeals, either in a case already filed with the Court of Appeals or one on its way to the Court of Appeals but not yet filed.

Cases on appeal represent the largest portion of the Court of Appeals’ workload since most are disposed by written opinion. The other methods of disposition, represented by the “Other Cases Disposed” category in the table at the bottom of the data page, include the court’s dismissal of the appeal and the appealing party’s withdrawal of the appeal.

NORTH CAROLINA COURT OF APPEALS Filings and Dispositions of Appeals and Petitions*

Fiscal Year	Filings	Dispositions
2012–13	2,564	2,490
2011–12	2,594	2,775
2010–11	2,549	2,671
2009–10	2,493	2,126
2008–09	2,502	2,307
2007–08	2,424	2,567
2006–07	2,484	2,634
2005–06	2,707	2,973
2004–05	2,719	2,731
2003–04	2,674	2,562

**Filings and dispositions shown here include appealed cases and petitions, but not motions.*

NORTH CAROLINA COURT OF APPEALS

Filings and Dispositions

Cases filed	Number of cases
CASES ON APPEAL	
Civil cases appealed from district courts	323
Civil cases appealed from superior courts	416
Civil cases appealed from administrative agencies	111
Criminal cases appealed from superior courts	715
Total cases on appeal	1,565
PETITIONS	
Allowed	80
Denied	919
Total Petitions	999
MOTIONS	
Allowed	3,138
Denied	617
Total Motions	3,759

NORTH CAROLINA COURT OF APPEALS

Manner of Case Dispositions (Opinions Only)

Affirmed*	Reversed*	Affirmed in part, reversed in part*	Other cases disposed	Total cases disposed
886	210	273	213	1,582

*Cases Disposed by Written Opinion



PREPARED BY



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