



# NORTH CAROLINA JUDICIAL BRANCH

## *Appellate Courts*



## **STATISTICAL AND OPERATIONAL REPORT**

July 1, 2013 – June 30, 2014

# Appellate Courts Report

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July 1, 2013 – June 30, 2014

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# SUPREME COURT

## 2013–14 Caseload

The first two tables in the Supreme Court subsection give 10-year trend data for appeals docketed and disposed and also petitions docketed and disposed. The table following presents the court's caseload inventory for fiscal year (FY) 2013–14, 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.

### NORTH CAROLINA SUPREME COURT Appeals Docketed and Disposed

Fiscal Year	Appeals docketed	Appeals disposed
<b>2013–14</b>	<b>115</b>	<b>111</b>
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

### NORTH CAROLINA SUPREME COURT Petitions Docketed and Disposed

Fiscal Year	Petitions docketed	Petitions disposed
<b>2013–14</b>	<b>615</b>	<b>622</b>
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

## NORTH CAROLINA SUPREME COURT Caseload Inventory

Cases filed	Begin pending (7/1/13)	Filed	Disposed	End pending (6/30/14)
<b>PETITIONS FOR REVIEW*</b>				
Civil domestic	2	15	10	7
Juvenile	8	21	24	5
Other civil	65	200	203	62
Criminal (including death sentences)	83	379	385	77
Administrative agency decision	0	0	0	0
<b>Total petitions for review</b>	<b>158</b>	<b>615</b>	<b>622</b>	<b>151</b>
<b>APPEALS**</b>				
<b>Civil domestic</b>	2	3	3	2
Petitions for review granted that became civil domestic appeals	0	1	1	0
<b>Juvenile</b>	0	1	1	0
Petitions for review granted that became juvenile appeals	0	2	2	0
<b>Other civil</b>	18	19	24	13
Petitions for review granted that became other civil appeals	0	25	15	10
<b>Criminal, defendant sentenced to death</b>	0	0	0	0
<b>Other criminal</b>	20	42	43	19
Petitions for review granted that became other criminal appeals	0	22	22	0
<b>Administrative agency decision</b>	0	0	0	0
Petitions for review granted that became appeals of administrative agency decision	0	0	0	0
<b>Total appeals</b>	<b>40</b>	<b>115</b>	<b>111</b>	<b>44</b>
<b>OTHER PROCEEDINGS</b>				
Rule 16(b) additional issues		4	2	
Motions		726	702	
<b>Total other proceedings</b>		<b>730</b>	<b>704</b>	

\*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	1
Juvenile	2
Other civil	25
Criminal (death sentence)	0
Other criminal	22
Administrative agency decision	0
<b>Total</b>	<b>50</b>

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

## NORTH CAROLINA SUPREME COURT Dispositions of Petitions

Petitions for review	Granted	Denied	Dismissed / withdrawn	Other	Total
Civil domestic	1	8	0	1	10
Juvenile	3	20	0	1	24
Other civil	41	136	13	13	203
Criminal (death sentence)	0	0	1	0	1
Other criminal	37	301	66	15	419
Administrative agency decision	0	0	0	0	0
Post conviction	0	0	0	0	0
<b>Total</b>	<b>82</b>	<b>465</b>	<b>80</b>	<b>30</b>	<b>657</b>

## NORTH CAROLINA SUPREME COURT Processing Time from Docket to Opinion\*

Type of Case	Number of Cases	Median (Days)	Mean (Days)
<b>Civil domestic</b>	0	0	0
Petitions for review granted that became civil domestic appeals	1	311	311
<b>Juvenile</b>	0	0	0
Petitions for review granted that became juvenile appeals	0	0	0
<b>Other civil</b>	10	274	273
Petitions for review granted that became other civil appeals	15	409	450
<b>Criminal, defendant sentenced to death</b>	0	0	0
<b>Other criminal</b>	11	262	265
Petitions for review granted that became other criminal appeals	11	380	398
<b>Administrative agency decision</b>	0	0	0
Petitions for review granted that became appeals of administrative agency decision	0	0	0
<b>Total</b>	<b>48</b>	<b>331</b>	<b>265</b>

\*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	4
Juvenile	1
Other civil	40
Criminal (death sentence)	1
Other criminal	144
Administrative agency decision	0
<b>Total</b>	<b>190</b>

## 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	0	0	1
Juvenile	0	0	0	1	0	0	1
Other civil	1	2	2	1	3	2	11
Criminal (death sentence)	0	0	0	0	0	0	0
Other criminal	1	0	0	3	1	3	8
Administrative agency decision	0	0	0	0	0	0	0
<b>Total</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>6</b>	<b>4</b>	<b>5</b>	<b>21</b>

\*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	0	0	0	0	0
Juvenile	0	0	0	1	1
Other civil	9	0	0	5	14
Criminal (death sentence)	0	0	0	0	0
Other criminal	11	0	1	2	14
Administrative agency decision	0	0	0	0	0
<b>Total</b>	<b>20</b>	<b>0</b>	<b>1</b>	<b>8</b>	<b>29</b>

\*\*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

## 2013–14 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 2013–14. “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
<b>2013–14</b>	<b>2,389</b>	<b>2,435</b>
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

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

## NORTH CAROLINA COURT OF APPEALS

### Petitions and Motions Filed

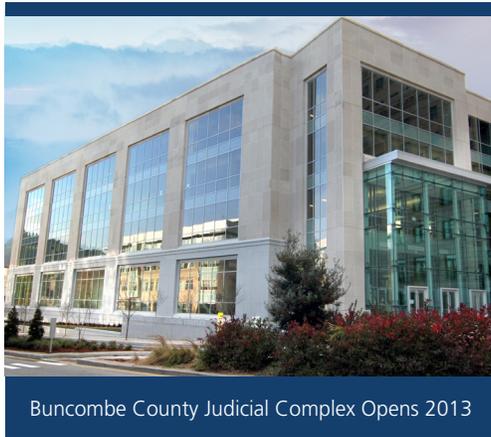
Cases filed	Number of cases
<b>CASES ON APPEAL</b>	
Civil cases appealed from district courts	342
Civil cases appealed from superior courts	394
Civil cases appealed from administrative agencies	78
Criminal cases appealed from superior courts	625
<b>Total cases on appeal</b>	<b>1,439</b>
<b>PETITIONS</b>	
Allowed	93
Denied	857
<b>Total petitions</b>	<b>950</b>
<b>MOTIONS</b>	
Allowed	2,774
Denied	510
<b>Total motions</b>	<b>3,284</b>

## 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
833	195	275	181	1,484

\*Cases Disposed by Written Opinion



*Photo by Cataldo Perrone, Buncombe County Public Relations*

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