



STATISTICAL  
AND  
OPERATIONAL  
REPORT  
*of the*  
NORTH CAROLINA  
APPELLATE COURTS



2016-17

JULY 1, 2016 – JUNE 30, 2017

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More information about the Judicial Branch is available in the Data and Information section of [www.NCcourts.org](http://www.NCcourts.org).

*This statistical and operational report is produced pursuant to G.S. 7A-343(8) and is a collaborative effort of NCAOC's Communications Office and the Research, Policy, and Planning Division. It is published online at [www.NCcourts.org/Citizens/JData](http://www.NCcourts.org/Citizens/JData).*

# SUPREME COURT OF NORTH CAROLINA



## 2016–2017 CASELOAD

The first two tables in this subsection give 10-year trend data for appeals and petitions docketed and disposed. The third table presents the types of cases that the court hears. The fourth and fifth tables summarize case activity in those cases reaching the decision stage and the dispositions of petitions for review. The next table shows the various methods of disposition 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.

### Appeals Docketed and Disposed

Fiscal Year	Appeals Docketed	Appeals Disposed
2016 – 17	137	92
2015 – 16	111	127
2014 – 15	97	93
2013 – 14	115	111
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

### Petitions Docketed and Disposed

Fiscal Year	Petitions Docketed	Petitions Disposed
2016 – 17	509	515
2015 – 16	567	539
2014 – 15	579	583
2013 – 14	615	622
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

## Caseload Inventory

Petitions for Review	Begin Pending (7/1/16)	Filed	Disposed	End Pending (6/30/17)
Civil domestic	4	12	16	0
Juvenile	2	16	14	4
Other civil	51	178	163	66
Criminal (including capital cases)	81	292	312	61
Administrative agency decision	2	11	10	3
<b>Total petitions for review</b>	<b>140</b>	<b>509</b>	<b>515</b>	<b>134</b>

Appeals	Begin Pending (7/1/16)	Filed	Disposed	End Pending (6/30/17)
Civil domestic	1	3	4	0
Petitions for review granted that became civil domestic appeals	2	3	0	5
Juvenile	1	0	1	0
Petitions for review granted that became juvenile appeals	1	2	0	3
Other civil	13	32	21	24
Petitions for review granted that became other civil appeals	0	21	15	6
Criminal, defendant sentenced to death	0	5	0	5
Other criminal	17	36	30	23
Petitions for review granted that became other criminal appeals	0	34	21	13
Administrative agency decision	0	1	0	1
Petitions for review granted that became appeals of administrative agency decision	0	0	0	0
<b>Total appeals</b>	<b>35</b>	<b>137</b>	<b>92</b>	<b>80</b>

Other Proceedings	Filed	Disposed
Rule 16(b) additional issues	3	2
Motions	907	688
<b>Total other proceedings</b>	<b>910</b>	<b>690</b>

### Submission of Cases Reaching Decision Stage

Cases Argued	Number of Cases
Civil domestic	1
Juvenile	1
Other civil	26
Criminal (capital)	0
Other criminal	25
Administrative agency decision	0
<b>Total</b>	<b>53</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)]	2
<b>Total</b>	<b>2</b>

### Dispositions of Petitions

Petitions For Review	Granted	Denied	Dismissed / Withdrawn	Other	Total
Civil domestic	4	11	1	0	16
Juvenile	4	9	1	2	16
Other civil	26	97	19	21	163
Criminal (capital)	0	1	1	0	2
Other criminal	55	214	59	13	341
Administrative agency decision	0	4	0	0	4
Post conviction	0	0	0	0	0
<b>Total</b>	<b>89</b>	<b>336</b>	<b>81</b>	<b>36</b>	<b>542</b>

### Processing Time from Docket to Opinion\*

Type of Case	Number of Cases	Median (Days)	Mean (Days)
Civil domestic	1	396	396
Petitions for review granted that became civil domestic appeals	1	0	396
Juvenile	1	217	217
Petitions for review granted that became civil juvenile appeals	0	0	0
Other civil	12	360	372
Petitions for review granted that became other civil appeals	14	577	554
Criminal, defendant sentenced to death	0	0	0
Other criminal	9	323	401
Petitions for review granted that became other criminal appeals	17	489	482
Administrative agency decision	0	0	0
Petitions for review granted that became appeals of administrative agency decision	0	0	0
<b>Total</b>	<b>55</b>	<b>345</b>	<b>456</b>

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

### Dispositions of Appeals

Dispositions by Withdrawal or Dismissal	Number of Cases
Civil domestic	4
Juvenile	0
Other civil	56
Criminal (capital)	2
Other criminal	136
Administrative agency decision	0
<b>Total</b>	<b>198</b>

### Dispositions of Appeals

Dispositions by Signed Opinion*	Affirmed	Affirmed in Part; Reversed in Part	Affirmed in Part; Reversed in Part; Remanded	Reversed	New Sentence Hearing	Reversed and Remanded	Other	Total Dispositions
Civil domestic	0	0	0	0	0	1	0	1
Juvenile	1	0	0	0	0	0	0	1
Other civil	1	0	1	5	0	5	6	18
Criminal (capital)	0	0	0	0	0	0	0	0
Other criminal	1	2	0	6	1	5	5	20
Administrative agency decision	0	0	0	0	0	0	0	0
<b>Total</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>11</b>	<b>1</b>	<b>11</b>	<b>11</b>	<b>40</b>

\*No activity was reported for new trial; no error.

Dispositions by Per Curiam Opinion**	Affirmed	Affirmed in Part; Reversed in Part	Reversed	Reversed and Remanded	Other	Total Dispositions
Civil domestic	0	0	0	0	0	0
Juvenile	0	0	0	0	0	0
Other civil	2	0	0	0	5	7
Criminal (capital)	0	0	0	0	0	0
Other criminal	2	0	1	1	4	8
Administrative agency decision	0	0	0	0	0	0
<b>Total</b>	<b>4</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>9</b>	<b>15</b>

\*\*No activity was reported for affirmed in part, reversed in part, and remanded; new sentencing hearing; new trial; no error.

# COURT OF APPEALS



## 2016–2017 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 2016 – 17. “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.

### Filings and Dispositions of Appeals and Petitions\*

Fiscal Year	Filings	Dispositions
2016 – 17	2,264	2,201
2015 – 16	2,183	2,229
2014 – 15	2,377	2,312
2013 – 14	2,389	2,435
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

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

### Caseload Inventory

Type	Begin Pending Cases	Incoming	Disposed	End Pending Cases	Cases Disposed with Oral Argument	Cases Disposed Without Oral Argument	Published Cases	Unpublished Cases	Average Days Calendar to Opinion	Average Days Docket to Opinion
Agency	3	3	4	2	1	3	2	2	110	275
Domestic	75	108	91	92	4	87	33	53	99	265
Juvenile	144	201	194	151	1	193	42	142	29	197
Civil other	584	490	466	608	78	388	183	183	109	269
Criminal other	1,031	629	575	1,085	28	547	188	387	73	247
<b>Total</b>	<b>1,837</b>	<b>1,431</b>	<b>1,330</b>	<b>1,938</b>	<b>112</b>	<b>1,218</b>	<b>448</b>	<b>767</b>		

Cases Filed	Number of Cases
Appeals	1,394
Motions	4,165
Petitions	870
Motions and petitions	5,035
Records, motions, and petitions	6,429
Appeals disposed of by written opinion*	1,183
Appeals in which the judgment or order of a trial tribunal was affirmed	712
Appeals in which the judgment or order of a trial tribunal was reversed	188
Appeals in which the judgment or order of a trial tribunal was affirmed in part and reversed in part	280
Appeals disposed of by the Court of Appeals other than by written opinion	150
Appeals disposed by the Court of Appeals	1,333
Causes certified from the Court of Appeals to the Supreme Court after determination by the Court of Appeals	470
Causes after determination by the Court of Appeals in which certiorari to the Court of Appeals was disallowed by the Supreme Court	<b>311</b>

\*One opinion may dispose of more than one appeal.

Cases Filed	Number of Cases
<b>Cases on appeal</b>	
Civil cases appealed from district courts	383
Civil cases appealed from superior courts	343
Civil cases appealed from administrative agencies	68
Criminal cases appealed from superior courts	600
<b>Total cases on appeal</b>	<b>1,394</b>

### Disposition of Motions and Petitions

Type	Number of Cases
<b>Disposition of Motions</b>	
Allowed	3,617
Denied	231
Dismissed	182
Dismissed as moot	27
Other	13
Referred	19
Spec order	58
Withdrawn	1
<b>Total</b>	<b>4,148</b>
<b>Disposition of Petitions</b>	
Allowed	97
Denied	495
Dismissed	42
Dismissed as moot	9
Other	2
Referred	31
Spec order	191
<b>Total</b>	<b>867</b>
<b>Petitions Filed</b>	
Petition for Writ of Certiorari (PWC)	613
Petition for Writ of Mandamus (WR-MAN)	112
Petition for Writ of Supersedeas (PWS)	48
Petition for Writ of Prohibition (PET-PROHIB)	6
Other	91
<b>Total</b>	<b>870</b>

### Manner of Case Dispositions (Opinions Only)

Affirmed*	Reversed*	Affirmed in Part, Reversed in Part*	Other Cases Disposed	Total Cases Disposed
712	188	281	153	1,334

\*Cases disposed by written opinion.

# NORTH CAROLINA COURT OF APPEALS

## ★★★ *50th Anniversary*

In January 2016, Chief Justice Mark Martin announced upcoming milestone anniversaries of the Judicial Branch, and his intention for the Judicial Branch and North Carolina citizens to join him in celebrating each one between 2016 and 2019. These important milestones for our court system, including the 50th anniversary of the Court of Appeals, are great opportunities for North Carolinians to reflect on the importance of the rule of law, and the fair and impartial administration of justice.

In 2017, the North Carolina Court of Appeals celebrated 50 years of upholding law and justice for all North Carolinians through the appellate system. The Court of Appeals held special sessions and a commemorative unveiling of a judges' portrait wall in celebration of its 50th anniversary.

"Today's special sessions present a unique opportunity to recognize the important work this court has done over the past 50 years, reflect on the changes in the Court, and celebrate the dedicated people who have contributed to its success," said Court of Appeals Chief Judge Linda McGee.

The court is made up of 15 accomplished judges who have been elected to their place on the bench by citizens across the state. The 1967 General Assembly enacted the necessary legislation establishing the N.C. Court of Appeals, and the Court of Appeals became operational on October 1, 1967.

"The Court of Appeals is the last stop for most cases and renders the final decision in approximately 95 percent of all appealed cases," said Chief Justice Mark Martin. "On behalf of the Supreme Court, thank you for being such effective guardians of the rule of law."



1967-2017



▲ Special thanks to the many donors and to the 50th Anniversary Committee of the North Carolina Court of Appeals for presenting the Court with the Judges' Portrait Wall, which is located on the landing between the second and third floors of the Court of Appeals Building in downtown Raleigh.

▼ This photograph of the Chief Judge and the current judges of the North Carolina Court of Appeals was taken on May 1, 2017. Pictured left to right (seated): Judge Rick Elmore, Judge Wanda G. Bryant, Chief Judge Linda M. McGee, Judge Ann Marie Calabria, Judge Donna S. Stroud. Pictured left to right (standing): Judge Valerie Zachary, Judge John S. Arrowood, Judge Hunter Murphy, Judge Richard Dietz, Judge John M. Tyson, Judge Robert N. Hunter, Jr., Judge Chris Dillon, Judge Mark Davis, Judge Philip Berger, Jr., Judge Lucy Inman.





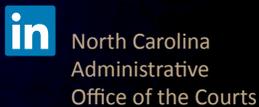
*justice for all*

SUPREME COURT OF NORTH CAROLINA: 919-831-5700  
COURT OF APPEALS: 919-831-3600

PREPARED BY  
NORTH CAROLINA ADMINISTRATIVE  
OFFICE OF THE COURTS

901 CORPORATE CENTER DRIVE  
RALEIGH, NC 27607

919-890-1000



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