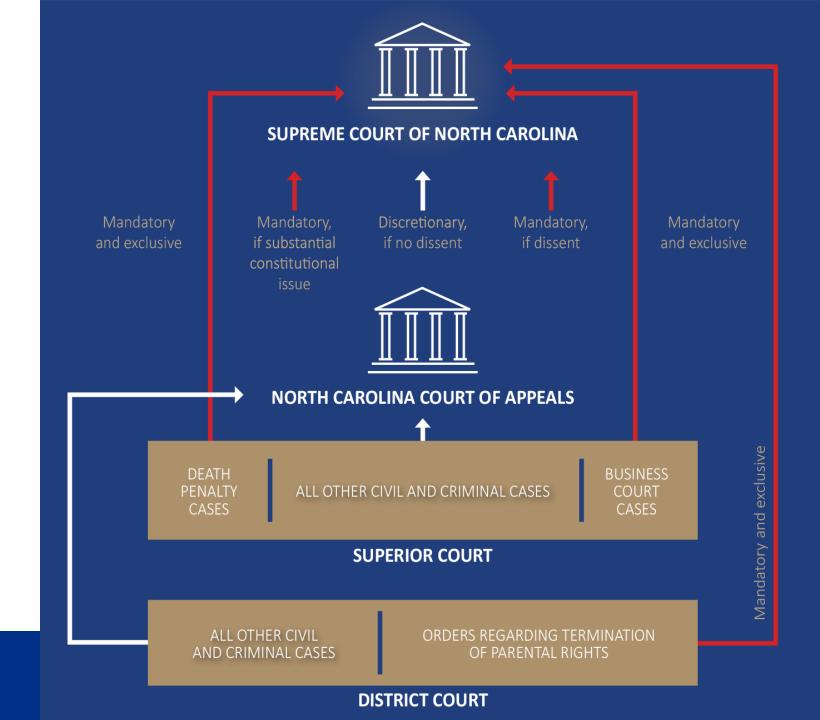
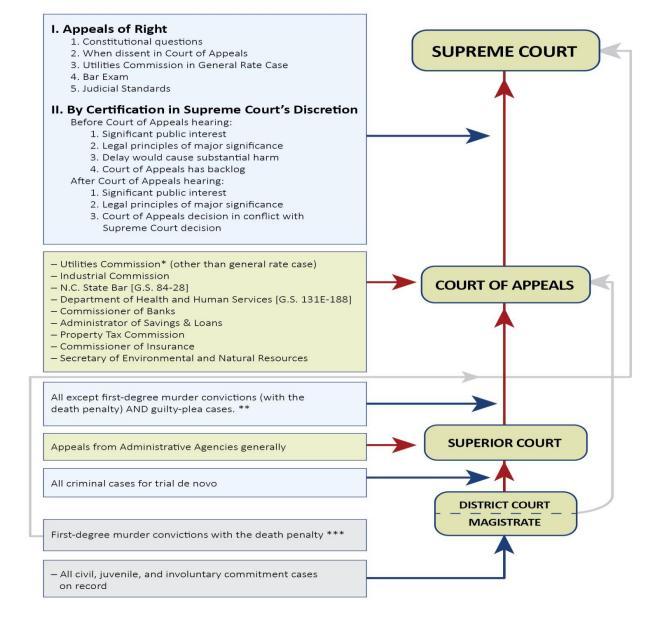


# ORGANIZATIONAL STRUCTURE and ROUTES OF APPEAL





# ORGANIZATIONAL STRUCTURE and ROUTES OF APPEAL





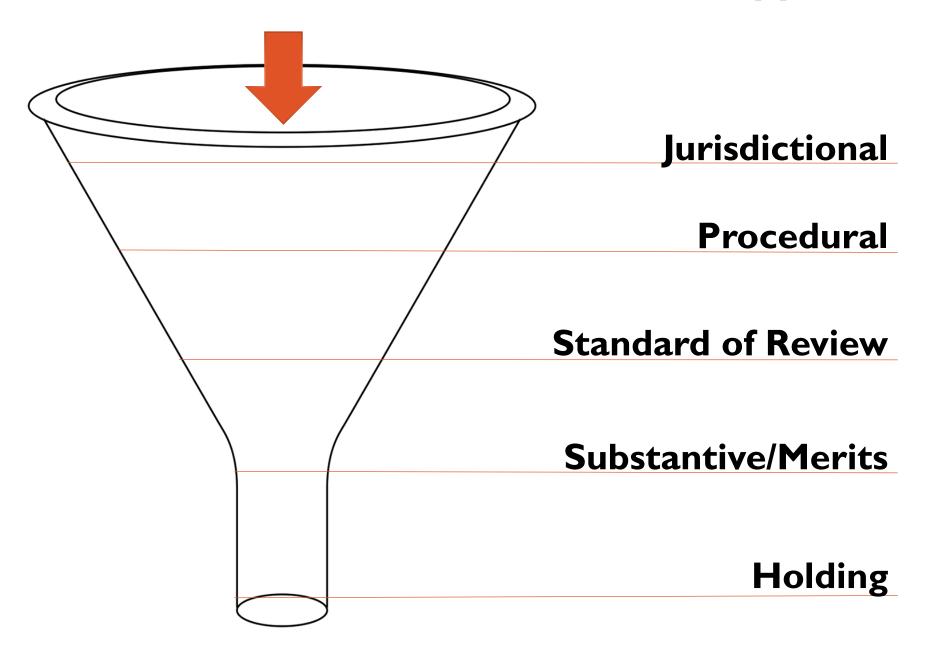
## **District Courts**



## **Superior Courts**



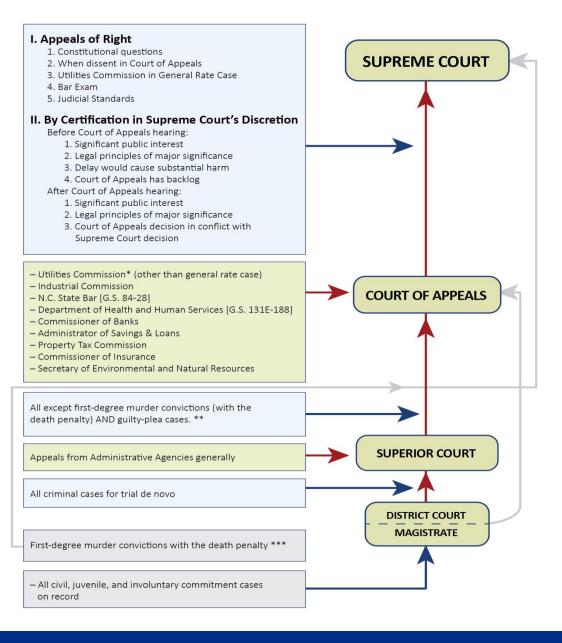
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- "There is no inherent or inalienable right of appeal from an inferior court to a superior court or from a superior court to the [appellate division]." *In re Halifax Paper Co.*, 259 N.C. 589, 592, 131 S.E.2d 441, 444 (1963).
- "Our own Supreme Court has . . . held that the right to appeal in this state is purely statutory." State v. Joseph, 92 N.C. App. 203, 204, 374 S.E.2d 132, 133 (1988), cert. denied, 324 N.C. 115, 377 S.E.2d 241 (1989).







Statutes providing appeal of right:

N.C. Gen. Stat. § 1-277 (appeal from superior or district court);

N.C. Gen. Stat. § 7A-27 (appeals of right from courts of the trial divisions);

N.C. Gen. Stat. § 7A-29 (appeals of right from certain administrative agencies);

N.C. Gen. Stat. § 7B-1001 (appeals of right in juvenile abuse, neglect, dependency proceedings and termination of parental rights proceedings);

N.C. Gen. Stat. § 7B-2602 (appeals of right in juvenile delinquency proceedings);

N.C. Gen. Stat. § 15A-1444 (appeal by a defendant in a criminal case);

N.C. Gen. Stat. §§ 15A-1432(e), -1445 (appeal by the State in a criminal case); and

N.C. Gen. Stat. § 150B-52 (appeal in cases originating under the Administrative Procedure Act).





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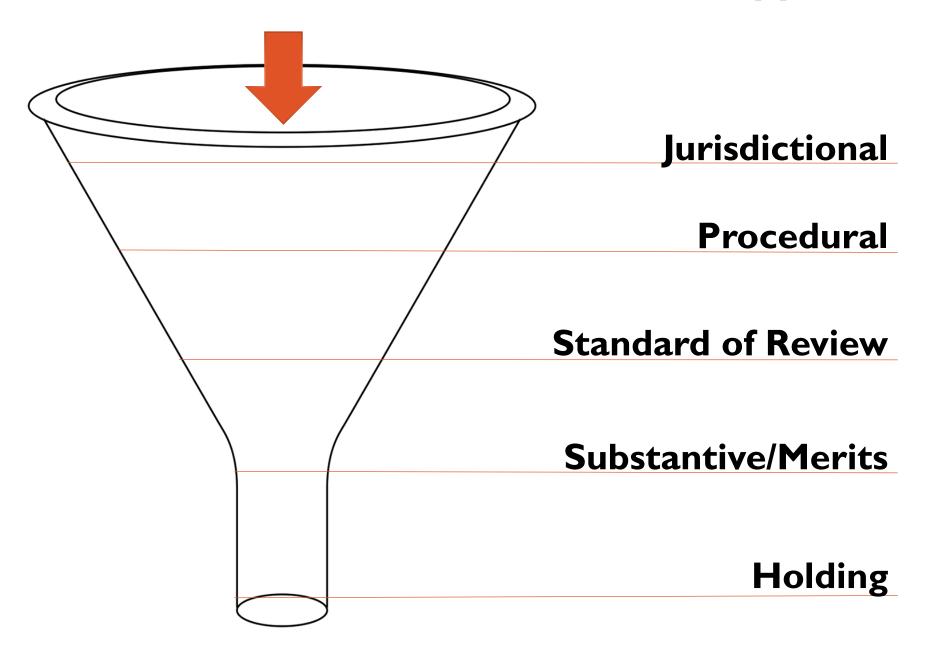




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It appearing to this Court that plaintiff-appellant's record on appeal and brief in support thereof contain numerous and substantial violations of the North Carolina Rules of Appellate Procedure, such that our ability to effectively review this appeal is impaired, we dismiss this appeal.

Here, plaintiff's appeal suffered from the following violations of the appellate rules: (1) failure to include a cover page in violation of Rule 28(b)(1); (2) failure to state the issues presented for review in violation of Rule 28 (b)(2)(to the extent they are discernible, plaintiff's issues are buried in the brief on page 5); (3) failure to state the procedural history of the case in violation of Rule 28(b)(3)(plaintiff purports to base her appeal on an order from which she did not file Notice of Appeal); (4) failure to state (correct) grounds for appellate review in violation of Rule 28(b)(4); (5) failure to include a 'full and complete statement of the facts...which are necessary to understand all issues presented for review in violation of Rule 28(b)(5) (in fact, plaintiff fails to provide a transcript of the proceedings below); (6) failure to reference pages of the transcript or record on appeal in connection with factual assertions in violation of Rule 28(b)(5);(7) failure to include, in plaintiff's 'argument' section, any clearly-stated contentions of the appellant with respect to each issue presented in violation of Rule 28(b)(6) (the majority of plaintiff's brief is comprised of statutes copied and pasted and contains no analysis as to their applicability); (8) failure to include any reason, citation to authority, or support for plaintiff's contentions on appeal (which are, in any case, unidentifiable) in violation of Rule 28(b)(6); and (9) failure to state the applicable standard of review for questions presented (which questions presented are, again, unidentifiable) in violation of Rule 28(b)(6). See N.C.R. App. P. 28(b)(2)-(6) (2015).

We are mindful of plaintiff's pro se status but cannot overlook the fact that plaintiff has failed to present any cognizable issues on appeal to this Court. Further, we cannot ignore the gross violations of our appellate rules at issue here, which have substantially impaired our ability to review this appeal.

IT IS THEREFOR ORDERED pursuant to Rule 34 of the North Carolina Rules of Appellate Procedure that this appeal be, and it is hereby, dismissed.

#### Failure to Comply with Rules and Procedure

N.C. R. App. P. 3

Dogwood Dev. & Mgmt. Co. v White Oak Transp. Co., 362 N.C. 191, 657 S.E.2d 361 (2008)



#### PRESERVATION

"The law does not permit parties to swap horses between courts to get a better mount" on appeal.

Weil v Herring, 207 N.C. 6, 10, 175 S.E.2d 836, 838 (1934).

#### Rule 10





### BRIEFS

N.C. R. App. P. 28





### Standards of Review





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#### What do you when there is a clear error?



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