

STATE OF NORTH CAROLINA

File No.

Additional File No.(s)

In The General Court Of Justice

District Superior Court Division

STATE VERSUS

APPELLATE ENTRIES

Rules 7, 9, 11, 27; N.C. Rules Of App. Proc.

Name Of Defendant

Social Security No.

Codefendant(s) If Tried Jointly

Name And Address Of Trial Prosecutor

Telephone No.

Name And Address Of Trial Transcriptionist(s)

Telephone No.

Telephone No.

Date(s) Of Trial

Name And Address Of Transcriptionist(s) Of All Other Proceedings

Telephone No.

Name And Address Of Defendant's Trial Counsel

Telephone No.

Telephone No.

Name And Address Of Defendant's Appellate Counsel

The Appellate Defender (919) 560-3334
123 W. Main St., Suite 600, Durham, NC 27701

NOTE: All indigent appeals are assigned to the Appellate Defender

Retained Appellate Counsel

Telephone No.

Date(s) Of All Other Proceedings

JUDGE'S INITIAL APPEAL ENTRIES

- 1. a. The defendant has given Notice of Appeal to the N.C. Court of Appeals, or b. This is a capital case appealable as of right to the N.C. Supreme Court.
- 2. If a transcript has been ordered, the defendant in a non-capitally tried case shall serve a proposed record on appeal on the State within 35 days after the reporter's or transcriptionist's certification of delivery of the transcript. If a transcript has been ordered, the defendant in a capitally tried case shall serve a proposed record on appeal on the State within 70 days after the reporter's or transcriptionist's certification of delivery of the transcript. If no transcript has been ordered, the defendant shall serve a proposed record on appeal on the State within 35 days after filing notice of appeal.
- 3. The State shall serve its amendments, objections or proposed alternative record on appeal on the defendant within 21 days if this is a non-capital case or 35 days if this is a capital case, after service upon it of the defendant's proposed record on appeal.
- 4. Release of the defendant pursuant to G.S. 15A-536 is denied, allowed upon execution of a secured bond in the amount of \$ _____ and compliance with the following additional conditions: _____
- 5. Unless indigent, the defendant shall arrange for the transcription of the proceedings as provided in the Rules of Appellate Procedure.
- 6. (NOTE: Check in all cases where defendant is indigent.) The defendant is indigent and has requested a transcript and the appointment of counsel. It is ORDERED that the defendant is allowed to appeal as an indigent and:
 - a. The Office of Indigent Defense Services shall pay the costs of producing a transcript, and of reproducing the record and the defendant's brief.
 - b. The Appellate Defender is appointed to perfect the defendant's appeal or assign other appellate counsel pursuant to rules issued by the Office of Indigent Defense Services.
 - c. Upon request, the Clerk shall furnish to the Appellate Defender, or to alternate counsel designated by the Appellate Defender, a copy of all documents on file in this case.
 - d. Unless the parties stipulate that parts of the proceedings shall not be transcribed, the Clerk shall order from the transcriptionist(s) a transcript of all parts of the proceedings except: _____

Original-File Copy-Transcriptionist(s) Copy-Defendant's Trial Counsel Copy-Defendant's Appellate Counsel (or defendant if unrepresented) Copy-District Attorney
Material opposite unmarked squares is to be disregarded as surplusage.

JUDGE'S INITIAL APPEAL ENTRIES (continued)

7. The Clerk shall mail a copy of these Entries to the prosecutor, the Appellate Defender or retained appellate counsel, the defendant (if unrepresented), and to the transcriptionist(s).

Date	Name Of Presiding Judge (Type Or Print)	Signature Of Presiding Judge
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CLERK'S TRANSCRIPT ORDER AND CERTIFICATE

(NOTE: To be completed ONLY when defendant is indigent.)

To The Transcriptionist(s) Named On The Reverse:

Prepare and deliver to the parties a transcript of all portions of the proceedings in the above-captioned case except: (Specify any portions of the proceedings which need not be transcribed pursuant to a stipulation filed by the parties under Rule 7(a)(2), or pursuant to No. 6.d. on reverse side.)

I certify that I delivered a copy of this Transcript Order to the transcriptionist(s) on the date shown below:

- personally.
- by mailing it to the transcriptionist(s) at the address(es) shown on the reverse.

Date Clerk's Transcript Order Entered And Filed	Signature
Date Order Delivered To Transcriptionist(s), If Different	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court

EXTENSION OF TIME TO PREPARE TRANSCRIPT OR SERVE RECORD

- 1. Extension of time to file transcript:** Pursuant to Rule 7, N.C. Rules of Appellate Procedure, upon motion of the appellant and for good cause shown, the court finds that this is a criminal case that did not result in a sentence of death and it is ORDERED that the time for preparation of the transcript is extended for 30 days.
- 2. 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 appellant and for good cause shown, it is ORDERED that the time for service of the proposed record on appeal is extended for 30 days.

NOTE: The trial court may grant only one extension of time to serve the proposed record on appeal. Any additional motion for an extension of time to serve the proposed record on appeal must be made to the appellate court where the appeal is to be heard. In a case in which a sentence of death was not entered, the trial court may grant one motion for an extension of time to prepare the transcript. Any subsequent motions for an extension of time to prepare the transcript must be made to the appellate court where the appeal is to be heard. In capitally tried cases that resulted in the imposition of death penalty, motions for an extension of time to prepare the transcript must be made directly to the Supreme Court. Rules 7 and 27, N.C. Rules of Appellate Procedure.

Date	Name Of Judge (Type Or Print)	Signature Of Judge
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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
	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court

Material opposite unmarked squares is to be disregarded as surplusage.