



NORTH CAROLINA COURTS

Statistical and Operational Report

APPELLATE COURTS

July 1, 2011 – June 30, 2012

Appellate Courts Report

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SUPREME COURT

2011–12 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 FY 2011–12, 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, etc.). 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
2011–2012	120	84
2010–2011	121	105
2009–2010	127	105
2008–2009	147	118
2007–2008	204	204
2006–2007	246	214
2005–2006	204	196
2004–2005	234	239
2003–2004	182	192
2002–2003	138	142

NORTH CAROLINA SUPREME COURT Petitions docketed and disposed

Fiscal Year	Petitions docketed	Petitions disposed
2011–2012	624	604
2010–2011	641	622
2009–2010	642	648
2008–2009	589	618
2007–2008	569	590
2006–2007	539	530
2005–2006	672	687
2004–2005	547	574
2003–2004	678	664
2002–2003	677	718

NORTH CAROLINA SUPREME COURT

Caseload inventory

Cases filed	Begin pending (7/1/11)	Filed	Disposed	End pending (6/30/12)
PETITIONS FOR REVIEW*				
Civil domestic	1	7	5	3
Juvenile	2	9	10	1
Other civil	57	250	233	74
Criminal (including death sentences)	75	357	355	77
Administrative agency decision	0	1	1	0
Total petitions for review	135	624	604	155
APPEALS**				
Civil domestic	0	3	1	2
Petitions for review granted that became civil domestic appeals	0	1	1	0
Juvenile	0	0	0	0
Petitions for review granted that became juvenile appeals	0	1	1	0
Other civil	9	37	18	28
Petitions for review granted that became other civil appeals	0	15	13	2
Criminal, defendant sentenced to death	4	2	4	2
Other criminal	15	41	28	28
Petitions for review granted that became other criminal appeals	0	20	18	2
Administrative agency decision	0	0	0	0
Petitions for review granted that became appeals of administrative agency decision	0	0	0	0
Total appeals	28	120	84	64
OTHER PROCEEDINGS				
Rule 16(b) additional issues		7	7	
Motions		568	557	
Total other proceedings		575	564	

*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	1
Other civil	25
Criminal (death sentence)	0
Other criminal	32
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

Disposition of petitions

Petitions for review	Granted	Denied	Dismissed / withdrawn	Other	Total
Civil domestic	0	5	0	0	5
Juvenile	1	9	0	0	10
Other civil	20	185	24	4	233
Criminal (death sentence)	1	2	0	0	3
Other criminal	27	264	67	11	369
Administrative agency decision	0	1	0	0	1
Post conviction	0	0	0	0	0
Total	49	466	91	15	621

NORTH CAROLINA SUPREME COURT

Processing time From docket to opinion*

Type of Case	Number of Cases	Median (Days)	Mean (Days)
Civil domestic	0	0	0
Petitions for review granted that became civil domestic appeals	0	308	308
Juvenile	0	0	0
Petitions for review granted that became juvenile appeals	1	231	231
Other civil	14	193	213
Petitions for review granted that became other civil appeals	11	399	384
Criminal, defendant sentenced to death	0	0	0
Other criminal	16	227	254
Petitions for review granted that became other criminal appeals	16	347	356
Administrative agency decision	0	0	0
Petitions for review granted that became appeals of administrative agency decision	0	0	0
Total	59	297	226

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

NORTH CAROLINA SUPREME COURT

Disposition of appeals

Disposition by withdrawal or dismissal	Number of cases
Civil domestic	1
Juvenile	0
Other civil	28
Criminal (death sentence)	3
Other criminal	108
Administrative agency decision	0
Total	140

NORTH CAROLINA SUPREME COURT

Disposition of appeals

Disposition by signed opinion*	Affirmed	Affirmed in part; reversed in part	Affirmed in part; reversed in part; remanded	Reversed	Reversed and remanded	Other	Total disposition
Civil domestic	0	0	0	0	1	0	1
Juvenile	0	0	0	0	0	0	0
Other civil	3	1	0	2	5	3	14
Criminal (death sentence)	0	0	0	0	0	0	0
Other criminal	4	1	1	4	3	7	20
Administrative agency decision	0	0	0	0	0	0	0
Total	7	2	1	6	9	10	35

* No activity was reported for New sentencing hearing, New trial, No error.

Disposition by Per Curiam opinion**	Affirmed	Affirmed in part; reversed in part	Reversed	Reversed and remanded	Other	Total disposition
Civil domestic	0	0	0	0	0	0
Juvenile	0	0	0	0	1	1
Other civil	2	1	1	3	4	11
Criminal (death sentence)	0	0	0	0	0	0
Other criminal	5	0	1	0	6	12
Administrative agency decision	0	0	0	0	0	0
Total	7	1	2	3	11	24

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

COURT OF APPEALS

2011–12 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 2011–12. “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
2011-2012	2,594	2,775
2010–2011	2,549	2,671
2009–2010	2,493	2,126
2008–2009	2,502	2,307
2007–2008	2,424	2,567
2006–2007	2,484	2,634
2005–2006	2,707	2,973
2004–2005	2,719	2,731
2003–2004	2,674	2,562
2002–2003	2,572	2,496

**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	333
Civil cases appealed from superior courts	436
Civil cases appealed from administrative agencies	143
Criminal cases appealed from superior courts	708
Total cases on appeal	1,620
PETITIONS	
Allowed	117
Denied	857
Total Petitions	974
MOTIONS	
Allowed	3,460
Denied	428
Total Motions	3,888

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
1,047	228	296	230	1,801

* Cases Disposed by Written Opinion



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