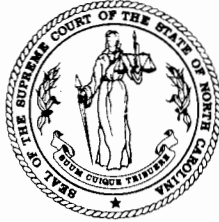


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AMENDMENT TO RULES OF APPELLATE PROCEDURE

The second paragraph of Rule 27(c) of the Rules of Appellate Procedure, 287 N.C. 671, 740, shall be amended to read as follows. (New material appears in italics. The sentence now appearing in the rule which reads, "After the appeal is docketed in the appellate division such motions are made to the appellate court where docketed", has been deleted):

A motion to extend the time for filing the record on appeal to a time greater than 150 days from the taking of appeal may only be made to the appellate court to which appeal has been taken. All other motions for extensions of time are made to the trial tribunal from whose judgment, order, or other determination the appeal has been taken during the time prior to docketing of the appeal in the appellate division. *No extension of time shall be granted by the trial tribunal which, if fully used, would preclude filing the appeal within 150 days from the taking of the appeal. If the appellate division extends the 150-day filing period, any subsequent motion for any extension of time shall be made to the appellate court where the case is to be docketed.* Motions made under this Rule 27 to a court of the trial divisions may be heard and determined by any of those judges of the particular court specified in Rule 36 of these rules. Such motions made to a commission may be heard and determined by the chairman of the commission; or, if to a commissioner, then by that commissioner.

This amendment to Rule 27(c) was adopted by the Court in Conference on 7 March 1978 to become effective immediately upon its adoption. It shall be promulgated by publication in the Advance Sheets of the Supreme Court and the Court of Appeals and by distribution of the amendment by mail to the Clerk of Court in each county of the State.

EXUM, J.
For the Court