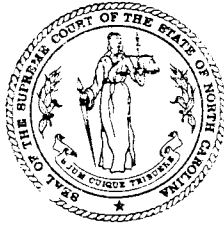


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APPELLATE PROCEDURE RULES

The first sentence of Rule 23(b) of the Rules of Appellate Procedure, 287 N.C. 671, 733 shall be amended to read as follows (new material appears in italics):

Pending Review by Supreme Court of Court of Appeals Decisions

Application may be made in the first instance to the Supreme Court for a writ of supersedeas to stay the execution or enforcement of a judgment, order or other determination mandated by the Court of Appeals when a *notice of appeal of right or a petition for discretionary review has been or will be timely filed*, or a *petition* for review by certiorari, mandamus, or prohibition has been filed to obtain review of the decision of the Court of Appeals. No prior motion for a stay order need be made to the Court of Appeals.

Approved by the Court in Conference this 2 day of December, 1980, to become effective 1 January 1981. It shall be promulgated by publication in the Advance Sheets of the Supreme Court and the Court of Appeals.

CARLTON, J.
For the Court