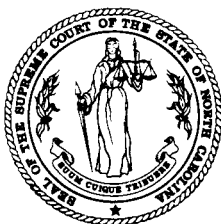


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AMENDMENTS TO NORTH CAROLINA RULES OF APPELLATE PROCEDURE

Rule 9 of the North Carolina Rules of Appellate Procedure entitled "THE RECORD ON APPEAL—FUNCTION, COMPOSITION, AND FORM" is amended as follows:

The third paragraph of Rule 9(c)(1) is amended to read as follows:

As an alternative to narrating the testimonial evidence as a part of the record on appeal, the appellant may cause the complete stenographic transcript of the evidence in the trial tribunal, as agreed to by the opposing party or parties or as settled by the trial tribunal as the case may be, to be filed with the clerk of the court in which the appeal is docketed. This alternative also may be used to present voir dire, jury instructions or other trial proceedings where those proceedings are the basis for one or more assignments of error and a stenographic transcript of those proceedings has been made. If this alternative is selected, the briefs of the parties must comport with Rule 28(b)(4) and 28(c); and, in criminal appeals, the District Attorney upon certification of the record shall forward one copy of the settled, certified transcript to the Attorney General of North Carolina.

Rule 28 of the North Carolina Rules of Appellate Procedure entitled "BRIEFS: FUNCTION AND CONTENT" is amended as follows:

Rule 28(b)(4) is amended to read as follows:

- (4) If pursuant to Rule 9(c)(1) appellant utilizes the stenographic transcript of the evidence in lieu of narrating the evidence as part of the record on appeal, and if there are portions of the transcript which must be reproduced verbatim in order to understand a question presented in the brief and if, because of length, a verbatim reproduction is not contained in the body of the brief itself, such verbatim portions of the transcript shall be attached as appendixes to the brief. Reference may then be made in the argument of the question presented to the relevant appendix. It is not intended that an appendix be compiled to show the general nature of evidence or the absence of evidence relating to a particular question presented in the brief.

Adopted by the Court in Conference this 12th day of January, 1982, *to be effective for all appeals docketed after 15 March 1982.*

MEYER, J.
For the Court