

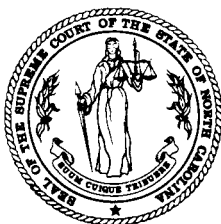
# NORTH CAROLINA REPORTS

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SUPREME COURT OF NORTH CAROLINA



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Rule 21 of the North Carolina Rules of Appellate Procedure entitled "CERTIORARI" is hereby amended as follows:

By rewriting subsection (a) to read as follows:

"(a) *Scope of the Writ.*

(1) *Review of the Judgments and Orders of Trial Tribunals.* The writ of certiorari may be issued in appropriate circumstances by either appellate court to permit review of the judgments and orders of trial tribunals when the right to prosecute an appeal has been lost by failure to take timely action, or when no right of appeal from an interlocutory order exists, or for review pursuant to G.S. 15A-1422(c)(3) of an order of the trial court denying a motion for appropriate relief.

(2) *Review of the Judgments and Orders of the Court of Appeals.* The writ of certiorari may be issued by the Supreme Court in appropriate circumstances to permit review of the decisions and orders of the Court of Appeals when the right to prosecute an appeal of right or to petition for discretionary review has been lost by failure to take timely action; or for review of decisions of the Court of Appeals in cases appealed from the North Carolina Utilities Commission, the North Carolina Industrial Commission, the North Carolina State Bar, the Property Tax Commission, or the Commissioner of Insurance."

Rule 21 of the North Carolina Rules of Appellate Procedure entitled "CERTIORARI" is hereby amended as follows:

By adding a new subsection (e) as follows:

"(e) *Petition for Writ in Post Conviction Matters; to Which Appellate Court Addressed.* Petitions for writ of certiorari to review orders of the trial court denying motions for appropriate relief upon grounds listed in G.S. 15A-1415(b) by persons who have been sentenced to life imprisonment or death shall be filed in and determined by the Supreme Court. In all other cases such petitions shall be filed in and determined by the Court of Appeals and the Supreme Court will not entertain petitions for certiorari or petitions for further discretionary review in these cases."

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Rule 26 of the Rules of Appellate Procedure entitled "Filing and Service" is amended by adding a new subsection (g) to read as follows:

(g) Size of Paper. All papers presented to the court for filing shall be letter size (8½" x 11"), with the exception of wills and exhibits.

This rule shall become effective July 1, 1982 for all appeals arising from cases filed in the court of original jurisdiction after that date.

By order of the Supreme Court in conference, this the 5th day of May 1981.

MEYER, J.  
For the Court