

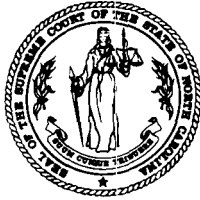
# NORTH CAROLINA REPORTS

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VOLUME 356

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SUPREME COURT OF NORTH CAROLINA



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28 JUNE 2002

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28 FEBRUARY 2003

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RALEIGH  
2004

### **Order Adopting Amendments to Rules 7 and 26 of the Rules of Appellate Procedure**

**Rule 7(a)(1)** is hereby amended by adding a second paragraph to read as follows:

In civil cases and special proceedings where there is an order establishing the indigency of a party entitled to appointed appellate counsel, the ordering of the transcript shall be as in criminal cases where there is an order establishing the indigency of the defendant as set forth in Rule 7(a)(2).

**Rule 26(a)(1)** is hereby amended to read as follows:

(1) Filing by Mail: Filing may be accomplished by mail addressed to the clerk, but is not timely unless the papers are received by the clerk within the time fixed for filing, except that motions, responses to petitions, and briefs shall be deemed filed on the date of mailing, as evidenced by the proof of service, ~~if first class mail is utilized.~~

Adopted by the Court in Conference this the 15th day of August 2002. This amendment shall be promulgated by publication in the Advance Sheets of the Supreme Court and the Court of Appeals. This amendment shall also be published as quickly as practical on the North Carolina Judicial Branch of Government Internet Home Page (<http://www.nccourts.org>).

Edmunds, J  
For the Court

### **Order Adopting Amendment to Rule 21 of the Rules of Appellate Procedure**

**Rule 21(e)** is hereby amended to read 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 convicted of murder in the first degree and sentenced to ~~life imprisonment or~~ death shall be filed in 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. In the event the petitioner unreasonably delays in filing the petition or otherwise fails to comply with a rule of procedure, the petition shall