GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 832

Short Title: Life Sentence Appeals.   (Public)

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Sponsors: Senators Rand, Hartsell, Simpson, Hoyle, Hobbs, Parnell, Carrington, Ballantine, Conder, Plyler, and Horton.

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Referred to: Judiciary II/Election Laws

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April 25, 1995

1	A BILL TO BE ENTITLED
2	AN ACT TO PROVIDE FOR THE COURT OF APPEALS TO HEAR APPEALS IN
3	CRIMINAL CASES IN WHICH LIFE SENTENCES ARE IMPOSED.
4	The General Assembly of North Carolina enacts:
5	Section 1. G.S. 7A-27 reads as rewritten:
6	"§ 7A-27. **Appeals of right from the courts of the trial divisions.**
7	(a) Appeal lies of right directly to the Supreme Court in all cases in which the
8	defendant is convicted of murder in the first degree and the judgment of the superior
9	court includes a sentence of ~~death or imprisonment for life.~~ death.
10	(b) From any final judgment of a superior court, other than the one described in
11	subsection (a) of this section, or one based on a plea of guilty or nolo contendere,
12	including any final judgment entered upon review of a decision of an administrative
13	agency, appeal lies of right to the Court of Appeals.
14	(c) From any final judgment of a district court in a civil action appeal lies of right
15	directly to the Court of Appeals.
16	(d) From any interlocutory order or judgment of a superior court or district court in
17	a civil action or proceeding which
18	(1) Affects a substantial right, or

1   (2)   In effect determines the action and prevents a judgment from which
2   appeal might be taken, or
3   (3)   Discontinues the action, or
4   (4)   Grants or refuses a new trial, appeal lies of right directly to the Court of
5   Appeals.
6 (e)   From any other order or judgment of the superior court from which an appeal
7 is authorized by statute, appeal lies of right directly to the Court of Appeals."
8   Sec. 2. This act becomes effective December 1, 1995, and applies to cases
9 tried on or after that date.