



CHAPTER 15A

ARTICLE 89 - MOTION FOR APPROPRIATE RELIEF AND OTHER POST-TRIAL RELIEF

N.C.G.S. § 15A-1413.

Trial judges empowered to act; assignment of motions for appropriate relief.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2017-176, s. 1(a) — fourth act in the lineage	21 September 2026, 03:43 UTC	8165cc6fbd74941117a471fe - 3b5979cba499f5a87a9fc3a7 - 12a584b598139507

- § 15A-1413(a)** A motion for appropriate relief made pursuant to G.S. 15A-1415 may be heard and determined in the trial division by any judge who (i) is empowered to act in criminal matters in the district court district as defined in G.S. 7A-133 or superior court district or set of districts as defined in G.S. 7A-41.1, as the case may be, in which the judgment was entered and (ii) is assigned pursuant to this section to review the motion for appropriate relief and take the appropriate administrative action to dispense with the motion.
- § 15A-1413(b)** The judge who presided at the trial is empowered to act upon a motion for appropriate relief made pursuant to G.S. 15A-1414. The judge may act even though the judge is in another district or even though the judge's commission has expired; however, if the judge who presided at the trial is still unavailable to act, the senior resident superior court judge or the chief district court judge, as appropriate, shall assign a judge who is empowered to act under subsection (a) of this section.
- § 15A-1413(c)** Repealed by Session Laws 2012-168, s. 2(a), effective December 1, 2012.
- § 15A-1413(d)** All motions for appropriate relief filed in superior court shall, when filed, be referred to the senior resident superior court judge, who shall assign the motion as provided by this section for review and administrative action, including, as may be appropriate, dismissal, calendaring for hearing, entry of a scheduling order for subsequent events in the case, including disclosure of expert witness information

described in G.S. 15A-903(a)(2) and G.S. 15A-905(c)(2) for expert witnesses reasonably expected to be called at a hearing on the motion, or other appropriate actions.

All motions for appropriate relief filed in district court shall, when filed, be referred to the chief district court judge, who shall assign the motion as provided by this section for review and administrative action, including, as may be appropriate, dismissal, calendaring for hearing, entry of a scheduling order for subsequent events in the case, or other appropriate actions.

§ 15A-1413(e) The assignment of a motion for appropriate relief filed under G.S. 15A-1415 is in the discretion of the senior resident superior court judge or chief district court judge as appropriate.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
4 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1977

1997

2017

TICK HEIGHT = ACTS IN THAT YEAR

DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1977	c. 711, s. 1	ENACTED
02	1977	1987 (Reg. Sess., 1988), c. 1037, s. 71	AMENDED
03	2012	S.L. 2012-168, s. 2(a)	AMENDED
04	2017	S.L. 2017-176, s. 1(a)	AMENDED

APPARATUS II
6 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 15A-1415	(a)	"for appropriate relief made pursuant to"
G.S. 7A-133	(a)	"district court district as defined in"

G.S. 7A-41.1	(a)	<i>"set of districts as defined in"</i>
G.S. 15A-1414	(b)	<i>"for appropriate relief made pursuant to"</i>
G.S. 15A-903(a)(2)	(d)	<i>"of expert witness information described in"</i>
G.S. 15A-905(c)(2)	(d)	<i>"information described in G.S. 15A-903(a)(2) and"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-1413 (2017).

PINPOINT

N.C. Gen. Stat. § 15A-1413(a) (2017).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1977, c. 711, s. 1; 1987 (Reg. Sess., 1988), c. 1037, s. 71; 2012-168, s. 2(a); 2017-176, s. 1(a).)

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