



CHAPTER 15A
ARTICLE 89 - MOTION FOR APPROPRIATE RELIEF AND OTHER POST-TRIAL RELIEF

N.C.G.S. § 15A-1417.

Relief available.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2010-171, s. 5 — third act in the lineage	RETRIEVED 21 September 2026, 03:04 UTC	SOURCE FINGERPRINT 71ddaf98df67de4b65a394df - cadafe22a6794d809ba6b672 - 1ef3ab5b1e543834
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- § 15A-1417(a)

The following relief is available when the court grants a motion for appropriate relief:

 - (1) New trial on all or any of the charges.
 - (2) Dismissal of all or any of the charges.
 - (3) The relief sought by the State pursuant to G.S. 15A-1416.
 - (3a) For claims of factual innocence, referral to the North Carolina Innocence Inquiry Commission established by Article 92 of Chapter 15A of the General Statutes.
 - (4) Any other appropriate relief.
- § 15A-1417(b)

When relief is granted in the trial court and the offense is divided into degrees or necessarily includes lesser offenses, and the court is of the opinion that the evidence does not sustain the verdict but is sufficient to sustain a finding of guilty of a lesser degree or of a lesser offense necessarily included in the one charged, the court may, with consent of the State, accept a plea of guilty to the lesser degree or lesser offense.
- § 15A-1417(c)

If resentencing is required, the trial division may enter an appropriate sentence. If a motion is granted in the appellate division and resentencing is required, the case must be remanded to the trial division for entry of a new sentence.

3 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		1994		2010
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT	CHARACTER	
01	1977	c. 711, s. 1	ENACTED	
02	2006	S.L. 2006-184, s. 3	AMENDED	
03	2010	S.L. 2010-171, s. 5	AMENDED	

APPARATUS II
1 AUTHORITY

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-1416	(a)(3)	"sought by the State pursuant to"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-1417 (2010).

PINPOINT

N.C. Gen. Stat. § 15A-1417(a) (2010).

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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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1977, c. 711, s. 1; 2006-184, s. 3; 2010-171, s. 5.)

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