



CHAPTER 15A

ARTICLE 91 - APPEAL TO APPELLATE DIVISION

N.C.G.S. § 15A-1452.

Execution of sentence upon determination of appeal; compliance with directive of appellate court.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2019-243, s. 7(a) — second act in the lineage	21 September 2026, 05:13 UTC	23741b7ef5b84d919c5d34d0 - 070de50d878fbcc345f3816d - 0560fecfd6274374

- § 15A-1452(a)** If an appeal is withdrawn for a judgment that imposed an active sentence or imposed only monetary obligations without probation, the clerk of superior court must enter an order reflecting that fact and directing compliance with the judgment.
- § 15A-1452(a1)** If an appeal is withdrawn for a judgment that imposed a suspended sentence, the clerk of superior court shall notify the district attorney who shall calendar a review hearing as required in subsection (d) of this section.
- § 15A-1452(b)** If the appellate division affirms in whole or in part, a judgment that imposed an active sentence or imposed only monetary obligations without probation, the clerk of superior court must file the directive of the appellate division and order compliance with its terms.
- § 15A-1452(b1)** If the appellate division affirms a judgment that imposed a suspended sentence, the clerk of superior court shall file the directive of the appellate division and bring the matter to the attention of the district attorney, who shall calendar a review hearing as provided in subsection (d) of this section.
- § 15A-1452(c)** If the appellate division orders a new trial or directs other relief or proceedings, the clerk must file the directive of the appellate court and bring the directive to the attention of the district attorney or the court for compliance with the directive.

§ 15A-1452(d) When notified by the clerk as provided in this section, the district attorney shall calendar a hearing in superior court for review of the judgment imposed. The defendant shall be entitled to be present and represented by counsel to the same extent as in the original sentencing hearing.

(1) At the review hearing, the court shall enter an order directing compliance with the judgment either as imposed or as modified as provided in this subsection. The defendant's period of probation shall commence as of the date of the court's order.

(2) If the defendant's ability to comply with any date or period of time specified in the original judgment has become impractical or impossible due to the pendency of the appeal, the court may modify those dates in order to give effect to the original judgment as closely as possible.

(3) The court shall not modify the judgment other than to adjust dates or periods for compliance as provided in subdivision (2) of this subsection, unless the court otherwise complies with the procedures for modification of probation in G.S. 15A-1344.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
2 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		1998		2019
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT	CHARACTER	
01	1977	c. 711, s. 1	ENACTED	
02	2019	S.L. 2019-243, s. 7(a)	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-1344	(d)(3)	"procedures for modification of probation in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-1452 (2019).

PINPOINT

N.C. Gen. Stat. § 15A-1452(a) (2019).

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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The text of the section is unaltered. Subsection designators have been moved from the run of text into the margin. The amendment history and the table of authorities are derived from the section by mechanical extraction — they add no characterization of the law.

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; 2019-243, s. 7(a).)

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NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

