

NORTH CAROLINA COURT OF APPEALS

NO. COA99-981

State v Kimble

Guilford
97-CRS-39580
97-CRS-23654
98-CRS-23485


TO: Mr. W. David Lloyd
Attorney at Law
101 South Elm Street
Suite 310
Greensboro, NC 27401

NOTICE

[Representing: Defendant-Appellant Ronnie L. Kimble]

It appears from the records of this Court that you have failed to file an APPEAL INFORMATION STATEMENT as required by Appellate Rule 41. The Court has directed me to notify you that if you do not file and serve an APPEAL INFORMATION STATEMENT within 21 days of the date of this Notice, your appeal may be dismissed or other appropriate sanctions may be imposed by this Court pursuant to Appellate Rule 25.

This the 1st day of March 2000.



John H. Connell, Clerk
North Carolina Court of Appeals
P.O. Box 2779
Raleigh, NC 27602-2779

Copy to:

Mr. John W. Hatfield, Jr., Attorney at Law, For Ronnie Lee Kimble
Mr. James C. Gulick, Special Deputy Attorney General, For State

NORTH CAROLINA COURT OF APPEALS

APPEAL INFORMATION STATEMENT

From _____ County/Agency
Trial Docket No. _____
COA Docket No. _____
Trial Judge _____

v.

Party(ies) filing appeal _____

1. Date judgment entered _____

2. Date of Notice of Appeal _____

3. (a). Is this a final judgment as to all claims and all parties? Yes No.

(b). If no, state the basis on which the judgment/order is immediately appealable.

4. (a). Check the appropriate line(s) best describing the nature of the case:

- Alimony
Attorneys' fees
Child custody/support
Construction law
Contempt
Contract law
Corporate law
Criminal law, DWI
Criminal law, habitual felon
Criminal law, probation revocation
Criminal law, other
Specify
Debtor/creditor rights
Driver's license revocation
Education law
Employment and Labor
Environmental law
Equitable distribution
Health care
Insurance, auto
Insurance, other
Intentional torts
Juvenile, delinquent
Juvenile, other
Landlord/tenant
Negligence
Paternity
Products liability
Professional malpractice
Real property rights
Sanctions
Slip and fall
Taxation
Termination of parental rights
Tort Claims Act
Unemployment compensation
Unfair and deceptive practices
Utilities
Wills, trusts, estates
Workers' compensation
Wrongful death
Wrongful discharge
Zoning/annexation

Other (specify) _____

(b). Check the appropriate line(s) to show the ruling being appealed:

- Administrative ruling
Declaratory judgment
Directed verdict
Dismissal
Injunction
Judgment (bench trial)
Judgment (guilty plea)
Judgment (jury verdict)
Judgment notwithstanding the verdict
Judgment (probation revocation)
Summary judgment

Other (specify) _____

5. State issues to be raised on the appeal (attach one additional page if necessary):

6. (a). Has any prior appeal in this case been filed in either appellate court?
 Yes No. If yes, provide appellate court docket number: _____
- (b). Are any other appeals in this case pending before either state appellate court?
 Yes No. If yes, provide appellate court docket number(s): _____
- (c). To your knowledge, are there any other appeals raising substantially related issues pending before either appellate court? Yes No.
 If yes, provide case name(s) and docket number(s), if known, and explain the manner in which the appeals are related: _____
7. (a). Are there essential questions raised by this appeal that cannot be adequately presented by the written briefs alone and therefore require oral argument?
 Yes No.
- (b). Do you request oral argument on this appeal? Yes No.
8. Has this appeal, or the matters with which the appeal is concerned, been settled or rendered moot? Yes No. If yes, please explain:
 If no, the undersigned hereby certifies that he/she will promptly notify the Court of Appeals if the appeal is hereafter settled or rendered moot. _____ (please initial).
9. Is there any reason why this appeal should be expedited? Yes No.
 If yes, please explain:
10. Has the execution or enforcement of the order, judgment or other determination from which the appeal has been taken been stayed pending disposition of the appeal?
 Yes No.

The undersigned attorney for the appellant(s), or the pro se appellant, hereby certifies that the information provided herein is true to the best of his/her own knowledge.

Signed this the ____ day of _____, 19____.

 (signature)

(Type name(s), address and telephone number under signature.)

(Attach certificate of service).

INSTRUCTIONS

1. These instructions govern the preparation and filing of the APPEAL INFORMATION STATEMENT adopted by the North Carolina Court of Appeals and required by Rule 41 of the North Carolina Rules of Appellate Procedure.
2. An APPEAL INFORMATION STATEMENT shall be completed and filed by the appellant(s) for each record on appeal filed with the Court of Appeals.
3. The Clerk of the Court of Appeals shall provide a copy of the APPEAL INFORMATION STATEMENT form to counsel or parties of record once the record on appeal has been docketed with the Court of Appeals.
4. Responses to inquiries on the APPEAL INFORMATION STATEMENT shall be typed, unless the form indicates otherwise.
5. In all appeals filed with the Court of Appeals, the appealing party or parties shall file the completed APPEAL INFORMATION STATEMENT with the Clerk of the North Carolina Court of Appeals, P.O. Box 2779, Raleigh, NC 27602-2779, at or before the time the appellant's brief is filed, with service upon all other parties.
6. The APPEAL INFORMATION STATEMENT is not a brief and should not contain argument or motions. The issues should be expressed thoroughly but without unnecessary detail. Counsel or pro se parties should make every effort to include in the APPEAL INFORMATION STATEMENT all of the issues that will be presented to the court.
7. The Court of Appeals may impose sanctions on counsel or pro se parties who fail to complete and file this form.