

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SESSION LAW 2005-148
SENATE BILL 689**

AN ACT TO CLARIFY THAT THE CLERK OF SUPERIOR COURT IS RESPONSIBLE FOR PROVIDING COPIES OF THE TRIAL FILE TO APPOINTED APPELLATE COUNSEL IN INDIGENT CASES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7A-452 is amended by adding a new subsection to read:

"(e) In cases in which an indigent person has entered notice of appeal and appellate counsel has been appointed by the Office of Indigent Defense Services, the clerk of superior court shall make a copy of the complete trial division file in the case, make a copy of documentary exhibits upon request, and furnish those files and any requested documentary exhibits to the appointed attorney."

SECTION 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 27th day of June, 2005.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 6:49 p.m. this 5th day of July, 2005