

**§ 7A-27. Appeals of right from the courts of the trial divisions.**

- (a) Appeal lies of right directly to the Supreme Court in any of the following cases:
- (1) All cases in which the defendant is convicted of murder in the first degree and the judgment of the superior court includes a sentence of death.
  - (2) From any final judgment in a case designated as a mandatory complex business case pursuant to G.S. 7A-45.4 or designated as a discretionary complex business case pursuant to Rule 2.1 of the General Rules of Practice for the Superior and District Courts.
  - (3) From any interlocutory order of a Business Court Judge that does any of the following:
    - a. Affects a substantial right.
    - b. In effect determines the action and prevents a judgment from which an appeal might be taken.
    - c. Discontinues the action.
    - d. Grants or refuses a new trial.
  - (4) Any trial court's decision regarding class action certification under G.S. 1A-1, Rule 23.
  - (5) Repealed by Session Laws 2021-18, s. 1, effective July 1, 2021, and applicable to appeals filed on or after that date.
- (a1) Repealed by Session Laws 2016-125, s. 22(b), 4th Ex. Sess., effective December 1, 2016.
- (b) Except as provided in subsection (a) of this section, appeal lies of right directly to the Court of Appeals in any of the following cases:
- (1) From any final judgment of a superior court, other than one based on a plea of guilty or nolo contendere, including any final judgment entered upon review of a decision of an administrative agency, except for a final judgment entered upon review of a court martial under G.S. 127A-62.
  - (2) From any final judgment of a district court in a civil action.
  - (3) From any interlocutory order or judgment of a superior court or district court in a civil action or proceeding that does any of the following:
    - a. Affects a substantial right.
    - b. In effect determines the action and prevents a judgment from which an appeal might be taken.
    - c. Discontinues the action.
    - d. Grants or refuses a new trial.
    - e. Determines a claim prosecuted under G.S. 50-19.1.
    - f. Grants temporary injunctive relief restraining the State or a political subdivision of the State from enforcing the operation or execution of an act of the General Assembly. This sub-subdivision only applies where the State or a political subdivision of the State is a party in the civil action.
    - g. Denies, upon the court's own motion or the motion of a party, the transfer of an action or proceeding pursuant to Rule 42(b)(4) of the North Carolina Rules of Civil Procedure.
  - (4) From any other order or judgment of the superior court from which an appeal is authorized by statute.
- (c) through (e) Repealed by Session Laws 2013-411, s. 1, effective August 23, 2013. (1967, c. 108, s. 1; 1971, c. 377, s. 3; 1973, c. 704; 1977, c. 711, s. 4; 1987, c. 679; 1995, c. 204, s. 1; 2010-193, s. 17; 2013-411, s. 1; 2014-100, s. 18B.16(e); 2014-102, s. 1; 2015-264, s. 1(b); 2016-125, 4th Ex. Sess., s. 22(b); 2017-7, s. 2; 2021-18, s. 1; 2023-134, s. 16.21(c).)