No. COA\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DISTRICT

NORTH CAROLINA COURT OF APPEALS

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

IN THE MATTER OF: )

)

INITIALS ) From \_\_\_\_\_\_\_\_\_\_\_ County

) File Nos.

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

APPELLANT RESPONDENT’S

PETITION FOR REHEARING *EN BANC*

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

NOW COMES Appellant Respondent \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, by and through counsel, and respectfully moves the Court, pursuant to Rules 31.1(a)(1), 31.1(a)(2), and 31.1(d) of the North Carolina Rules of Appellate Procedure, to grant rehearing *en banc* in this case. In support of this motion, Appellant shows the following:

**I. Introduction**

This Court’s decision raises a question of exceptional importance

to the citizens of North Carolina: Whether **[STATE THE ISSUE].** In this case, the Court has answered **[SUMMARIZE].** This decision conflicts or is contrary to **[CITE].**

This Court’s decision changes or alters the rights the parents of North Carolina have enjoyed to date.

**A. The proceedings at trial**

[Provide short summary of relevant facts that happened at trial.]

**B. The proceedings on appeal**

[Provide short summary of relevant facts that happened on appeal. For example, what did Appellant argue, what did Appellees argue, and what did the Court address in its decision.]

**II. This Court should grant rehearing *en banc* to answer a question of great importance to the jurisprudence of North Carolina: Whether \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.**

This Court’s decision here raises a question of exceptional importance to the citizens of North Carolina: [**ISSUE].**

[Summarize why the issue is important and what case law, regulations, etc. support your position.] Break into sub-arguments as appropriate.

**III. Conclusion**

This Court should grant rehearing *en banc* to resolve the following question of exceptional importance:

**[ISSUE THAT WAS NOT ADDRESSED OR INCORRECTLY DECIDED]**

For all the foregoing reasons, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ respectfully requests that this Court grant the petition for rehearing *en banc* to answer the question of exceptional importance raised herein. Additionally, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ requests that this Court order the filing of new briefs of the parties in this matter.

This \_\_\_\_\_ day of \_\_\_\_\_\_\_\_, 20\_\_\_.

Electronically submitted

Attorney Name, Bar No.

Attorney for Appellant-Respondent

Address

City, State, Zip

(phone)

e-mail address

CERTIFICATE OF FILING AND SERVICE

This is to certify that the undersigned has this date filed and served a copy of the APPELLANT RESPONDENT’S PETITION FOR REHEARING EN BANC upon the parties and counsel of record by electronic filing and serving, a copy of said instrument as follows:

Dan Horne, Clerk electronic filing site

North Carolina Court of Appeals

P.O. Box 2779

Raleigh, NC 27602

*All other counsel*

This the \_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_\_.

Electronically submitted

Appellate Counsel