

In the General Court of Justice, Superior Court Division <b>STATE OF NORTH CAROLINA</b> _____ County	<i>File No.:</i>	
<b>Name Of Indigent Defendant:</b>		
<b>PRIOR AUTHORIZATION REQUIRED TO INVESTIGATE OR LITIGATE A SUCCESSOR MOTION FOR APPROPRIATE RELIEF IN A CAPITAL CASE</b> <small>IDS Policy No. 04.01.07      G.S. 7A-451(d); 7A-498.3(c-d); 7A-498.5(f)</small>		
<b>I. REQUEST FOR APPROVAL</b>		
<p>1. A brief procedural history of the case, including any time constraints faced by counsel in conducting the investigation or initiating litigation;</p> <p>2. A description of the potential legal and factual claims to be litigated, including a summary of any prior litigation in the case that may affect those claims;</p> <p>3. An explanation of why counsel believes the successor would not be procedurally barred pursuant to N.C. Gen. Stat. 15A-1419; and</p> <p>4. An estimate of the resources counsel expects to need in the investigation or litigation, including estimated attorney time and the number and type of experts.</p>		
<i>Date:</i>	<i>Name of Attorney:</i>	<i>Signature of Attorney:</i>

*Date:*

*Name of Attorney:*

*Signature of Attorney:*

## II. REVIEW AND DECISION BY DIRECTOR

Based on the foregoing information, the IDS Director finds that:

- The attorney applicant has made an adequate showing to establish a good faith basis for believing that there are claims that warrant further investigation or litigation and the request to pursue a successor MAR in this case is approved.
- Further information is needed to allow the director to make a determination. Counsel shall provide the following information for further consideration:

  

- The attorney applicant has not made an adequate showing to establish a good faith basis for believing that there are claims that warrant further investigation or litigation and the request to pursue a successor MAR in this case is denied and shall not be compensated for services performed or expenses incurred.

For reasonable work expended in the investigation or litigation of a successor MAR during the period predating the adoption of this policy, the IDS Director has authorized a onetime payment of \_\_\_\_\_, subject to IDS Policy Number 04.01.07, Adverse Decision of Executive Director and Procedures for Review.

<i>Date:</i>	<i>IDS Director:</i> Mary Pollard	<i>Signature of IDS Director:</i>
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