

Appellate

Advocacy After the Trial

Prosecuting an appeal is a complicated endeavor, with its own set of rules, procedures, and best practices. Brooks Pierce has taken cases to appeal and counseled on appellate strategy in a wide variety of cases. We have also provided counsel to trial teams to analyze potential grounds for appeal and preserve appellate issues for review. We have handled appeals in which we were involved at the trial level, as well as appeals in cases in which we have stepped in as appellate counsel when the outcome in the trial court was unsatisfactory. Brooks Pierce attorneys also regularly work with counsel from other law firms as co-counsel on appellate matters.

Our team of appellate practitioners includes a Board Certified Specialist in Appellate Practice and multiple former appellate court clerks at both the state and federal level, including a former U.S. Supreme Court clerk. These attorneys offer extensive experience, insightful analysis, rigorous briefing, and a thorough understanding of successful appeal strategies. *Chambers USA's* 2017 guide states that our team “employs a collaborative, team-based structure to provide the most relevant technical expertise for any given situation.”

Complete understanding of appellate components. Our appellate team stands ready to give advice in all components of a successful appeal, including:

- Preserving appellate issues
- Seeking or contesting stays pending appeal
- Seeking extraordinary writs
- Pursuing interlocutory appeals
- Preparing records of appeal and joint appendices
- Preparing briefs, petitions for review, and motion practice
- Preparing for and leading appellate arguments

Representative matters. Brooks Pierce has handled multiple high-stakes, high-profile appeals involving complex business matters, constitutional matters, and criminal matters, including:

- Representation of the current Governor of North Carolina in constitutional challenges to a number of statutes passed by the General Assembly in 2016 and 2017.
- Representation of a criminal defendant in an appeal contesting the application of the Armed Career Criminal Act in a common law robbery conviction, the holding of which may impact the sentences of many other criminal defendants.

- Representation of a North Carolina town contesting a state law that stripped the town of its powers of extraterritorial jurisdiction.
- Representation of a local public school board appealing a trial court decision that stated the school board must share their unappropriated fund balance with a charter school annually.
- Representation of a national tire and rubber manufacturer appealing a trial verdict in a case brought by former employees who alleged discrimination and unlawful termination.
- Representation of a marina appealing an unfavorable trial court judgment in a case involving restrictive covenants, easement rights, riparian rights, and an attorney's fees claim.

How can we advocate for you?

PEOPLE

Daniel D. Adams

Julia C. Ambrose

Lindsey S. Barber

Charles E. Coble

Patrick Cross

Eric M. David

Kearns Davis

Alexander Elkan

Greg Gaught

Amanda S. Hawkins

Robert King III

David Kushner

Brian McMillan

Clint S. Morse

Benjamin R. Norman

John W. Ormand III

Gary S. Parsons

Joseph A. Ponzi

Mark J. Prak

Will Quick

William A. Robertson

Andrew L. Rodenbough

Sarah M. Saint

Daniel F.E. Smith

Elizabeth L. Troutman

Jennifer K. Van Zant

NEWSROOM

News

Amanda Hawkins to Speak at NCBA Appellate Practice Section CLE
03.20.2023

Benchmark Litigation Recognizes 16 Brooks Pierce Attorneys
10.13.2022

Gary Parsons Publishes Article on Attorney Malpractice Avoidance in *Corporate Counsel*
10.04.2022

Brooks Pierce Attorneys Recognized in *The Best Lawyers in America*® 2023 Guide
08.18.2022

Greg Gaught Joins North Carolina Appellate Pro Bono Program
04.07.2022

Events

Bob King Participates in NCBA's Expert Series CLE
07.06.2022

Publications

North Carolina Supreme Court Re-Affirms Classic View of "Blue-Pencil Doctrine" for Non-
Competition Agreements
04.04.2016