

APPELLATE & CONSTITUTIONAL

Moore & Van Allen's experienced appellate attorneys have handled numerous civil and criminal appeals from start to finish in state and federal appellate courts of North and South Carolina, the Federal Circuit Courts of Appeals, and the United States Supreme Court and provide consultation and guidance during all stages of the appeal.

Moore & Van Allen is pleased that Willis Whichard, former North Carolina Supreme Court Justice and Court of Appeals Judge, is the leader of our Appellate Practice Group. Justice Whichard offers a unique perspective as a former justice of the Supreme Court and judge on the Court of Appeals, law school dean and practicing lawyer.

The experience of appellate attorneys has become increasingly important as the appellate courts develop and enforce specialized rules of practice. For example--as highlighted by recent cases in the North Carolina appellate courts-- technical rule violations can result in the complete loss of an appeal. And it takes experience to appreciate how an appellate court is likely to assess the merits of a client's case.

Decisions of Interest

The following are representative of appellate cases our attorneys have handled.

- *State v. Bradley*, 179 N.C. App. 551, 634 S.E.2d 258 (2006)
- *Tillman v. Commercial Credit Loans, Inc.*, 177 N.C. App. 568, 629 S.E.2d 865 (2006)
- *Fox-Kirk v. Hannon*, 142 N.C. App. 267, 542 S.E.2d 346 (2001)
- *Smith v. Allied Exterminators, Inc.*, 279 N.C. 583, 184 S.E. 2d 296 (1971).
- *Price v. Tomrich Corp.*, 275 N.C. 385, 167 S.E. 2d 766 (1969)
- *Finora Co. v. Amitie Shipping, Ltd.*, 54 F.3d 209, 1995 A.M.C. 2014 (4th Cir. 1995)
- *South Carolina State Ports Authority v. Silver Anchor, S.A.*, (Panama), 23 F.3d 842, 1994 A.M.C. 2463 (4th Cir. 1994)
- *Caldera v. J.S. Alberici Construction Co.*, 153 F.3d 1351 (Fed. Cir. 1998)
- *Haruna v. M/V STAR B*, in rem, 1999 A.M.C. 2330 (D.S.C. 1998)
- *Botany Bay Marina, Inc. v. Great American Insurance Company*, 1992 WL 356773, 1992 A.M.C. 2993 (D.S.C. 1992)

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- *Peoples Federal Savings and Loan Ass'n of South Carolina v. Resources Planning Corp.*, 358 S.C. 460, 596 S.E.2d 51 (2004)
- *Scott Bridge Co. v. Wright*, 883 So.2d 1221 (Ala. 2003)