

24 NCAC 03 .0308 MOTIONS

(a) All motions filed with the Review Board prior to hearing before the hearing examiner or prior to argument before the Review Board shall be in writing, shall be served on the parties, and shall set forth reasons supporting the motion. All parties upon whom a motion is served shall have 10 days from service to file a response. During a hearing, motions may be made orally, unless the hearing examiner or Board directs otherwise. Each motion shall state with particularity the grounds upon which it is based and the relief or order sought.

(b) If oral argument is requested on any motion, the request for oral argument should be contained in a motion and set out reasons why oral argument is requested. Oral argument should be granted on a showing of good cause as to why such oral argument is required.

(c) Motions shall, in the ordinary course of proceedings, be heard and disposed of by hearing examiners to whom the case is assigned or by the Review Board when the case is before the Review Board as a whole.

(d) Any party may request an expedited hearing on a motion or a hearing on a motion before the Review Board. Such motions shall only be granted by a showing of good cause. Appeal from denial of motion may be heard by the full Review Board in its discretion.

*History Note: Authority G.S. 95-135;
 Temporary Rule Eff. October 2, 1991 For a Period of 180 Days to Expire on March 30, 1992;
 Eff. February 3, 1992;
 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 16, 2014.*