

1 county, and may hold a hearing in the superior court district
2 during any regular session of the court, or a special session of
3 the court, ordered pursuant to G.S. 7A-46.

4 (3) In noncapital cases, the judge shall review the motion and enter an
5 order whether the defendant should be allowed to proceed without the
6 payment of costs, with respect to the appointment of counsel, and
7 directing the State, if necessary, to file an answer.

8 (4) In capital cases, the judge assigned pursuant to subdivision (2) of this
9 subsection shall review the motion and enter an order within 20 days
10 of the filing of the motion that ~~directing~~ directs the State to file its
11 answer within 60 days of the date of the order. If a hearing is
12 necessary, the judge shall calendar the case for hearing without
13 unnecessary ~~delay~~-delay, and enter its order no later than 180 days
14 following the hearing."

15 **SECTION 2.** This act becomes effective December 1, 2007, and applies to
16 motions for appropriate relief filed on or after that date.