

2026 RACE PROFILE: NORTH CAROLINA COURT OF APPEALS JUDGE SEAT 1

Democratic Judge John Arrowood is seeking reelection to a second term on the Court of Appeals Judge Seat 1. Arrowood was appointed to the seat in 2007 but lost a bid for a full eight-year term the following year. He was appointed back onto the court in 2017 by then-Democratic Governor Roy Cooper and won the seat in 2018, becoming the first openly gay person to win statewide election in North Carolina. He faces no primary challengers. Two Republicans are running to face Arrowood in the general election: Superior Court Judge Matt Smith and Administrative Law Judge Michael Byrne. The Republican primary is March 3.

Campaign Finance

Candidate	Total Contributions	Total Expenditures	Cash On Hand (12/31/25)
John Arrowood (Re-Elect Judge Arrowood)	\$268,239	\$54,180	\$214,059
Matt Smith (Committee to Elect Matthew B. Smith)	\$166,646	\$27,275	\$142,357
Michael Byrne (Elect Michael C. Byrne)	\$21,873	\$17,099	\$4,773

John Arrowood (D)

Arrowood has ruled to block voter ID laws and backed restoring the vote to people with felony convictions. In 2020, Arrowood joined a unanimous Court of Appeals panel blocking North Carolina’s then-new voter ID law after concluding it was enacted with “racially discriminatory intent” and could not be used in the 2020 elections. Republicans attacked Arrowood and the other appellate judges as “liberal judicial activists” and alleged unethical behavior based on Arrowood’s previous responses to a questionnaire answer about voter ID. Arrowood was also key vote in litigation over voting rights for people with felony convictions. In 2022, joined a 2–1 Court of Appeals order that allowed roughly 56,000 North Carolinians on probation, parole, or post-release supervision to vote beginning with the November 2022 general election, once they had finished active prison time.

Arrowood has defended constitutional protections against over-policing and speech restrictions. Arrowood has often ruled to defend constitutional protections against over-policing and speech restrictions. In 2019, he dissented when the Court of Appeals upheld a traffic stop of a passenger who had flipped off a state trooper, arguing that, while “distasteful,” the gesture was protected speech under the First Amendment and could not justify a stop under the Fourth Amendment’s reasonable-suspicion standard. That same year he joined a unanimous opinion overturning a DWI conviction, despite a blood-alcohol reading twice the legal limit, because the court found a violation of the defendant’s Fourth Amendment rights against unreasonable searches and seizures. In 2024, he dissented from a decision upholding two life-without-parole sentences for a defendant who was still a minor at the time of the crime, criticizing the majority for misreading the record and ignoring North Carolina Supreme Court precedent on mandatory consideration of mitigating factors for youth.

Arrowood is a strong supporter of LGBTQ rights. Arrowood was the first openly gay person to hold statewide elective office in North Carolina and has been explicit that “judges ought to be honest about who they are,” while pledging to “administer justice without favoritism to anyone or to the state.” He

warned at a 2025 Pride event that LGBTQ “rights are on the ballot every election.” Arrowood has also joined or authored opinions allowing local governments to remove Confederate monuments, including a 2022 opinion holding that a Confederate-heritage group lacked standing to challenge Asheville’s removal of a downtown monument honoring Zebulon Vance and a 2025 decision upholding Pitt County’s removal of a courthouse Confederate statue.

Michael Byrne (R)

Byrne is running for office as a conservative pro law-enforcement candidate. Byrne is running for the Court of Appeals on an overtly conservative platform centered on “pro-law enforcement credentials” and experience in administrative and appellate work. He describes himself as “your CONSERVATIVE candidate,” defining conservative judges as those who “apply the law, not ‘make’ the law,” emphasize protecting rights under the North Carolina Constitution, and stress fairness and serving “the people.” Byrne touts his endorsements from all three major statewide police organizations—the National Association of Police Organizations, the North Carolina Fraternal Order of Police, and the North Carolina Police Benevolent Association—which he describes as an “unprecedented” combination in a North Carolina judicial primary.

Byrne’s legal career was dedicated to representing law enforcement and public employees in personnel fights. Before his 2020 appointment as an administrative law judge, Byrne spent more than a decade as a litigator largely focused on representing law enforcement officers and other state employees in disciplinary and whistleblower fights. His campaign biography emphasizes that he restricted his practice to representing law enforcement and public employees and served as a referral attorney for multiple law enforcement organizations, and he claimed that agencies often settled with his clients “primarily because I’ve beaten them so much.” Notable cases included Byrne defending corrections officers and staff fired after an inmate died of dehydration while handcuffed, a prison supervisor terminated after multiple sexual-harassment complaints, officers fired after a controversial drunk-driving stop involving a Highway Patrol captain, and several DMV and Ethics Commission whistleblowers who alleged political retaliation from higher-ups.

Byrne is being attacked for his past donations to Democrats, including John Arrowood. Attacks on Byrne by his Republican primary opponent have centered on his past donations to Democratic candidates. Byrne contributed \$500 to John Arrowood in 2018, the first general election cycle after appellate races became partisan, and also made donations to Democratic Governor Roy Cooper. His opponent, Matt Smith, has used those contributions to question Byrne’s commitment to Republican causes, while Byrne insists he did not realize Arrowood was a Democrat at the time.

Matt Smith (R)

Matt Smith is running as the leader of a slate of “Conservative Judges” and the true reliable Republican in the race. Smith is positioning himself as a movement conservative jurist, running as part of a slate of “Conservative Judges” and telling GOP voters he is the “proven Conservative” in the only contested statewide judicial primary. His campaign biography emphasizes an 18-year trial career, followed by rapid elevation from district court (2020) to superior court (2022), where he has presided over a wide range of criminal and civil cases in multiple counties. Smith has made Michael Byrne’s past donations to Democrats a central contrast point, using them to claim the mantle of the most reliable Republican in the race. Smith has argued that Byrne’s donations “raise questions about Byrne’s loyalty to the GOP.” In a widely shared Facebook post, Smith told supporters that while he has “worked very hard for years to ensure we elect Conservative Judges,” Byrne has been “financially supporting the

Democrat opponents of the Conservative Judges and Justices that I and many of you, have actively championed for,”

JOHN S. ARROWOOD (D)

Incumbent Democratic Court of Appeals Judge John Arrowood is seeking reelection in 2026. He was appointed to the seat in 2007 but lost a bid for a full eight-year term the next year. He was appointed back onto the appellate court in 2017 and won the seat in 2018, becoming the first openly gay person to win a statewide contest in North Carolina. He faces no primary challengers. Arrowood will likely face attacks from the right based on a liberal and permissive judicial philosophy, with critics pointing to decisions opposing a life sentence for a teen who killed his parents, supporting COVID lockdowns, allowing felons the right to vote, opposing voter ID requirements, and overturning a drunk driving conviction of a woman whose BAC tested at twice the legal limit.

BACKGROUND & PHILOSOPHY

2025: Arrowood announced that he would run for reelection to a second eight year term on the Court of Appeals. “Judge John Arrowood announced he is seeking reelection for his seat on the North Carolina Court of Appeals on Wednesday, which would mark his second eight-year term.” [Raleigh News & Observer, 3/19/25]

2018: Arrowood was elected to a full term on the Court of the Appeals and became the first LGBTQ person elected to statewide office in North Carolina. “In the ballot's only statewide races -- one seat on the state Supreme Court and three seats on the Court of Appeals -- all were won by Democrats. The winners included two women and the first openly gay person to be elected statewide in North Carolina, Judge John S. Arrowood.” [Raleigh News & Observer, 11/8/18]

2017: Arrowood was appointed to the Court of Appeals by Governor Roy Cooper. “In a choreographed sequence Monday, Court of Appeals Judge Douglas McCullough resigned and minutes later the governor filled the vacancy with former appeals court judge John Arrowood — leading state Democratic Party officials to cheer the selection.” [Associated Press, 4/8/17]

- **Arrowood announced that he would run for election to a full term on the Court of Appeals.** “John Arrowood, the Democrat appointed to the state Court of Appeals in April, plans to seek election to the same seat in 2018. It won't be his first run for a seat on the state's appellate court. In 2008, almost a year after being appointed to a seat by Mike Easley, the Democrat in the governor's office, Arrowood campaigned unsuccessfully for election. He also was among a field of 19 candidates seeking a Court of Appeals seat in 2014, when he was the second-highest vote-getter. In announcing his plans to run again in 2018, Arrowood cited his previous judicial experience and his 26 years in private practice.” [Raleigh News & Observer, 8/2/17]

1989-2017: Arrowood worked as an attorney at James, McElroy, & Diehl in Charlotte. Arrowood's practice focused on “complex commercial litigation.” [John Arrowood LinkedIn, [accessed 2/12/26](#)]

2014: Arrowood finished a distant second in a campaign for a vacant Court of Appeals seat. “Charlotte attorney John Arrowood appeared to fall short Tuesday in his bid to best 18 other candidates for a seat on the N.C. Court of Appeals. With about 88 percent of precincts reporting, Arrowood, a former member of the Court of Appeals, was running a distant second to Fayetteville lawyer John Tyson. Tyson, also a former member of the Court of Appeals, had garnered 24 percent of the vote to

Arrowood's nearly 15 percent. Nineteen candidates filed after Chief Judge John C. Martin, 70, unexpectedly announced his early retirement in August. His retirement came too late in the election cycle for a primary to be held to winnow the field to two hopefuls." [Charlotte Observer, 11/4/14]

2008: Arrowood was defeated by Republican Bob Hunter in his campaign to retain his seat on the Court of Appeals. "Judge John Arrowood of Charlotte, who was appointed to the court by Gov. Mike Easley in August 2007, was seeking a full term, but trailed challenger Bob Hunter of Morehead City, 54 percent to 46 percents." [Charlotte Observer, 11/5/08]

2007: Governor Mike Easley appointed Arrowood to the North Carolina Court of Appeals. "Gov. Mike Easley appointed John Arrowood of Charlotte to the N.C. Court of Appeals on Friday, returning Arrowood to the court where he was once a top staff member. Arrowood, 50, is a former senior staff attorney and staff director for the Court of Appeals, the second-highest court in North Carolina. The court has 15 judges and hears cases in three-judge panels. 'For me, it's like going home,' Arrowood said. His appointment fills the vacancy left by the resignation of Eric Levinson of Charlotte, serving as justice attache to Iraq for the U.S. Department of Justice." [Charlotte Observer, 8/25/07]

- **Arrowood was the first openly gay person to hold statewide elective office in North Carolina.** "Charlotte lawyer John Arrowood made history Friday. The reason isn't clear from his resume, the envy of most lawyers. Arrowood, 50, was a partner with the firm James, McElroy and Diehl. He served on the N.C. Banking Commission and on the boards of the Mint Museums and the Charlotte Center for Urban Ministry. He has won legal awards. The reason wasn't even clear when a packed courtroom saw him take the oath Friday for the N.C. Court of Appeals. No one mentioned what many knew -- that Arrowood had just become the first openly gay person in a statewide elective office in North Carolina. A decade after such an event would have startled leaders, no one has made an issue of his sexual orientation. 'Judges ought to be honest about who they are,' Arrowood said in an interview, 'and this is who I am, so I'm not going to hide it.' Arrowood said he has no agenda. He described his judicial philosophy simply: 'It is to administer justice without favoritism to anyone or to the state,' he said from the bench after Chief Judge John Martin swore him in." [Raleigh News & Observer, 9/8/07]

2007: Governor Mike Easley appointed Arrowood as a special Superior Court judge. "Gov. Mike Easley on Friday appointed John Arrowood of Charlotte as a special Superior Court judge. 'John Arrowood has demonstrated the highest levels of professionalism, integrity and dedication to the law,' Easley said. 'Throughout the years, Arrowood has made a commitment to public service in many capacities. The state is fortunate have to an individual of his caliber joining the bench.' Special judges, who are not elected, can be assigned to hold court anywhere in the state. 'I'm thrilled that the governor has expressed his confidence in me by appointing me to the bench,' Arrowood said. 'I look forward to serving.'" [Charlotte Observer, 3/10/07]

2007: Arrowood served on the North Carolina Railroad board of directors, the North Carolina Arts Council and the Mint Museum of Art board of trustees. "Arrowood serves on the N.C. Railroad board of directors, the N.C. Arts Council and the Mint Museum of Art board of trustees. He has previously served on the N.C. Banking Commission, the N.C. Election Law Review Commission and the Attorney General Advisory Commission on Statutes." [Charlotte Observer, 3/10/07]

2000: Arrowood served on the North Carolina Rules Review Commission. "They aren't elected, and their names rarely appear in the newspaper or their faces on TV. But the 10 members of the Rules Review Commission have become some of the most powerful people in state government. Their job is

to review the hundreds of rules passed by state agencies each year, looking at everything from regulations on the safety of playground equipment to the way medicine is dispensed at nursing homes. The rules panel scrutinizes them all - and has the power to kill what it doesn't like. State lawmakers gave the commission that authority five years ago, in response to businesses' complaints of too much regulation. Since then, the average number of rules proposed annually by agencies has dropped by half - a trend applauded by those who see too much red tape in government. But agency heads say their ability to respond to public needs has also been hampered. [...] The commission has a say over executive branch agencies, but its 10 members are appointed by the two leaders of the legislative branch, the House speaker and the Senate president pro tem. Its members are John Arrowood, a Charlotte lawyer; Laura Devan, a Fayetteville lawyer; Jim R. Funderburk, a Gastonia lawyer; Walter Futch, a Leland dentist; Jennie J. Hayman, a Raleigh lawyer and homemaker; Paul Powell, a Raleigh lawyer and former chairman of the state ABC Commission; George S. Robinson, a Lenoir lumber executive and former state legislator; Teresa Smallwood, a Windsor lawyer; Palmer Sugg, a Raleigh lawyer; and David Twiddy, an Elizabeth City real estate executive.” [Durham Herald-Sun, 2/21/00]

1995: Arrowood was appointed to the North Carolina Banking Commission by Governor Jim Hunt. “Three Charlotteans will join the 14-member N.C. Banking Commission Wednesday. N.C. House Speaker Harold Brubaker appointed Frank Dunn, former president of First Union's N.C. bank, while Gov. Jim Hunt appointed lawyer John Arrowood and George Broadrick, a retired president of First Citizens Bank.” [Charlotte Observer, 9/19/95]

- **1997: Arrowood was reappointed to the Banking Commission.** [Durham Herald-Sun, 10/2/97]

1995: Arrowood served on the North Carolina Election Laws Review Commission. [Charlotte Observer, 1/13/95]

1982-1989: Arrowood was a clerk and staff attorney for the North Carolina Court of Appeals. “Following law school, I clerked at the Court of Appeals for Judge Gerald Arnold, was a staff attorney and the senior staff attorney for the court.” [Ashville Citizen-Times, 10/25/18]

1982: Arrowood earned his JD from the University of North Carolina. [John Arrowood LinkedIn, [accessed 2/12/26](#)]

1979: Arrowood graduated from Catawba College. [John Arrowood LinkedIn, [accessed 2/12/26](#)]

1956: Arrowood was born in Burnsville, North Carolina. “Born: Nov. 4, 1956, in Burnsville. [...] I was born in Burnsville. Following the death of my parents while I was still a teenager, I lived with my brother, a state trooper, in Lenoir. During my professional career, I served as a research assistant and staff attorney at the court. For 18 years, I was engaged in private practice litigating complex commercial cases.” [Raleigh News & Observer, 10/25/08]

Judicial Campaigns

2018 Court of Appeals Campaign

Arrowood was endorsed by the *Charlotte Observer*. “Court of Appeals Judge John Arrowood of Charlotte faces a challenge from Andrew Heath. Both are capable, and we give a slight nod to Arrowood because of his experience on the court. Arrowood, a Democrat, has twice been appointed to the appeals court. In those stints, he has authored close to 200 opinions and dissents. He also clerked and was senior

staff attorney to the court early in his career. He practiced a variety of types of law during a 25-year career at James, McElroy and Diehl in Charlotte. He was one of only two appellate candidates to receive the endorsement of both the plaintiffs' group and the defense attorneys' group." [Editorial, Charlotte Observer, 10/23/18]

Arrowood was endorsed by the *Raleigh News & Observer*. "We recommend electing Judge John Arrowood, a Democrat, to a full term. Arrowood, who was appointed by Gov. Cooper in 2017, previously served on the court from 2007 to 2008 after being appointed by Gov. Mike Easley. He has other ties to the court having clerked for Judge Gerald Arnold and served as head of the court's central staff. Previous to his current appointment, he was a special Superior Court judge. Arrowood opposes shrinking the court because it will reduce the court's ability to hear oral arguments, a practice he said the court already doesn't do enough. He favors the selection of appellate judges through an independent commission, rather than through partisan elections. And he's blunt about interference by the legislature. 'You shouldn't have people over on Jones Street threatening the judiciary because they don't like the decisions they are getting,' he said." [Editorial, Raleigh News & Observer, 10/19/18]

Arrowood was endorsed by the North Carolina Democratic Party. "Democrats also endorsed John Arrowood, a current member of the appeals court, in his election bid to hold the seat. Gov. Roy Cooper appointed Arrowood, a Democrat and openly gay attorney who has specialized in employment and commercial law, in April 2017 during a power struggle with Republican lawmakers at the helm of the General Assembly for a seat that had been held by Republican Douglas McCullough." [Raleigh News & Observer, 6/12/18]

2014 Court of Appeals Campaign

Arrowood was endorsed by the North Carolina Democratic Party. "The North Carolina Democratic Party's governing board has endorsed former Court of Appeals Judge John Arrowood for a vacant seat on the intermediate-level appeals court in a statewide election that's attracted 19 candidates. Arrowood was appointed to the 15-member court in 2007, but he lost the next year's election for a full eight-year term. He's a private practice attorney in Charlotte and former special Superior Court judge." [Associated Press, 10/14/14]

Arrowood was endorsed by the *Charlotte Observer*. "Then there's the race with 19 candidates vying for one Court of Appeals seat. Only two – John Arrowood of Charlotte and John Tyson of Fayetteville – have served as judges at that level. We recommend Arrowood. Besides being the only one of the 19 from Mecklenburg County, he has 23 years in private practice and has served on the N.C. Banking Commission, the Rules Review Commission and as a director of the N.C. Railroad. He was well-regarded by his peers when he served on the Court of Appeals." [Charlotte Observer, 10/23/14]

Arrowood was attacked by a Fayetteville pastor for his sexual orientation during the 2014 campaign. "The backlash against the gay marriage court ruling picked up force this week with a leading legislator proposing to exempt government officials from attending to same-sex couples and protests in Raleigh on Thursday that religious liberty is under siege. [...] The leader of a Fayetteville church used a disparaging term to refer to a gay state Court of Appeals candidate, John Arrowood, saying he shouldn't be running. 'I say he should step down because he's already biased' against the marriage amendment, said Johnny Hunter of Cliffdale Community Church. Arrowood, a Charlotte lawyer, was once on the board of the Equality NC political action committee. He served on the appeals court in 2007-8. 'I think it's unfortunate that people have chosen to make my sexuality an issue,' Arrowood said in an interview Thursday. 'I have a record of showing that I am fair and unbiased and that I have no agenda. I have a

record that people can see. I think it's unfortunate in the 21st century that people seem to think my sexual orientation is an issue.” [Raleigh News & Observer, 10/23/14]

2008 Court of Appeals Campaign

Arrowood was endorsed by the *Charlotte Observer*. “John Arrowood has served in a number of posts, including the board of the North Carolina Railroad, a member of the N.C. Banking Commission and as member of the N.C. Rules Review Commission and the N.C. Arts Council. He clerked for former appellate Judge Gerald Arnold and was director of the court staff before going into private practice in Charlotte. He has been a special Superior Court judge, and was appointed to a Court of Appeals vacancy in 2007 by Gov. Mike Easley. Bob Hunter also has had a distinguished career, service as a deputy attorney general and as chairman of the State Board of Elections. He has also chaired a bar association section on constitutional law, has worked with a program that helps provide counseling to lawyers who need it and served on a panel that wrote the rules for conducting nonpartisan judicial elections in North Carolina. He is also well known for representing the Republican Party in disputes over redistricting cases and has won key rulings that required the drawing of new districts to meet constitutional muster. We believe both men are exceptionally well qualified for the Court of Appeals, and the public would be well served by either. Because of his previous experience as a Superior Court judge and his year on the Court of Appeals, the *Observer* recommends John Arrowood.” [Editorial, *Charlotte Observer*, 10/18/08]

Arrowood was endorsed by the *Asheville Citizen-Times*. “Born in Burnsville, Arrowood has also served as a Superior Court judge. Hunter brings 35 years of private practice experience to the race in addition to a wide-ranging background that includes chairing the State Board of Elections and serving as Deputy Attorney General. Arrowood says, ‘I believe our Courts work best when judges bring a diversity of experiences to the bench. My work on the Court's staff, in private practice and as a Judge make me uniquely qualified to serve.’ We agree and recommend Arrowood continue as an Appellate Judge.” [Editorial, *Asheville Citizen-Times*, 10/6/08]

Arrowood was endorsed by the *Greensboro News & Record*. “Since his appointment to the N.C. Court of Appeals by Gov. Mike Easley last year, Judge John Arrowood has made a positive impact. The court handles a heavy case-load, and Arrowood is a swift worker, insiders say. He's also sure, taking time to confer with colleagues to seek the benefit of their insights and reach consensus. Arrowood, 51, was known as an outstanding lawyer in Charlotte dealing mostly with complex commercial litigation before serving a short stint as a Superior Court judge. He's quickly learned the ropes on criminal cases, sometimes livening opinions with phrases worthy of Mickey Spillane: ‘Reyes told Queen that he wanted crack cocaine and sex, and Queen promised to provide both,’ Arrowood recounted in *State v. Thompson*. And: ‘Queen judged Calfee to be insufficiently stalwart for a robbery.’ Of course, these are serious cases, and Arrowood shows an earnest appreciation for the court's proper role: ‘We conclude that balancing the humanitarian, environmental and economic factors implicated by these issues is a task within the purview of the legislature and not the courts,’ he wrote with judicial restraint in another case. Arrowood is opposed in the November election by Robert N. Hunter Jr., 61, a veteran Greensboro attorney described by colleagues as an exceptional lawyer who possesses a remarkable legal mind. He has represented the Republican Party and Republican politicians in political cases, including Trudy Wade in the long-contested 2004 Guilford County commissioners' race. His partisanship raises some concerns about impartiality on the bench, but Arrowood was a Democratic Party activist and he has left his politics at the courthouse door. Hunter has similar integrity. This race is nonpartisan and should be decided on qualifications alone. Arrowood already has proved he's a good fit.” [Editorial, *Greensboro News & Record*, 10/6/08]

NOTABLE CASES

2024: Arrowood dissented from a ruling upholding life sentences for a teen who killed his parents. “Two life sentences without parole for a teen who killed his parents in Deep Gap were upheld by the North Carolina Court of Appeals in a 2-1 decision. Tristan Borlase was found guilty of first-degree murder in March 2022 for killing his parents when he was one month shy of his 18th birthday in April 2019. He was tried as an adult in court, but he was a minor at the time of the crime, meaning the maximum sentence was life without parole. [...] Judge John Arrowood wrote the dissenting opinion, which Miles said they will use when they appeal to the North Carolina Supreme Court. Judge Arrowood wrote that ‘the majority’s opinion not only misreads the record, but it also ignores and calls into question our Supreme Court’s precedent regarding a sentencing judge’s duty to find a statutory mitigating factor when the evidence in support of a factor is uncontradicted, substantial and manifestly credible.’” [Watauga Democrat, 1/4/24]

2023: Arrowood dissented from a ruling allowing lawsuits over Governor Roy Cooper’s COVID lockdowns. “The North Carolina Court of Appeals has affirmed a lower court’s denial of a motion by Gov. Roy Cooper and legislative leaders to dismiss a lawsuit brought by a group of bar owners impacted by Cooper’s COVID-19 lockdown policies. [...] Joining Wood in the majority of the three-judge panel was Judge Fred Gore. Democrat Judge John Arrowood dissented. In his dissent, Arrowood said, ‘Curtailing the ability of our Governor to issue executive orders during a state of emergency sets a deadly precedent that will prove to have grave consequences in the future.’” [North State Journal, 9/15/23]

2022: Arrowood voted to allow felons to vote in November 2022. “A panel of the North Carolina Court of Appeals has split 2-1 to rule that felons can vote in North Carolina elections starting in November. Two Democratic judges agreed to the change, while a Republican colleague dissented. The decision arrived Tuesday through an order addressing state legislative leaders’ request for a ‘writ of supersedeas.’ That type of legal action would block a trial court’s ruling allowing 56,000 felons to vote in North Carolina. Judges John Arrowood and Allegra Collins agreed to block felon voting for elections scheduled May 17 and July 26. Their order refers to the state Supreme Court’s September 2021 decision to block felon voting in last year’s municipal races. ‘The status quo established by the North Carolina Supreme Court’s 10 September 2021 order in this cause shall remain in effect through these elections,’ the new Appeals Court order stated. ‘Thereafter, the North Carolina State Board of Elections is ordered to take actions to implement the ‘Final Judgment and Order’ for subsequent elections.’ The ‘Final Judgement and Order’ refers to a Superior Court panel’s 2-1 ruling on March 28 that felons should be allowed to register and vote if they have completed active prison time. The ruling would apply to felons on parole, probation, or post-release supervision. Supporters have said the change could affect 56,000 people. Arrowood and Collins are Democrats. Judge Jefferson Griffin, a Republican, dissented from the order.” [Dunn Daily Record, 4/26/22]

2020: Arrowood voted to dismiss an appeal by the United Daughters of the Confederacy seeking to force the return of a Confederate statue to downtown Winston-Salem. “The North Carolina Court of Appeals has dismissed an appeal by the United Daughters of the Confederacy in that group’s attempt to force Winston-Salem to return the statue of a Confederate soldier to its former post at the corner of Liberty and Fourth streets in downtown Winston-Salem. In a 2-1 ruling, the appeals court said Forsyth County Superior Court Judge Eric Morgan did not err on May 8, 2019, when he dismissed a lawsuit over the statue brought by the state and local units of the UDC. [...] Appellate Judge Wanda Bryant, writing the majority opinion for the Appeals Court, said that aside from acknowledging their role in erecting the statue, the UDC had not alleged it owns the statue and could show no legal interest in it. For that reason,

she writes, Morgan's dismissal was proper. Appellate Judge John Arrowood concurred in Bryant's opinion.” [Winston-Salem Journal, 12/17/20]

- **2022: Arrowood authored a ruling allowing Asheville to remove a Confederate monument.** “The N.C. Court of Appeals ruled April 5 in favor of the city, affirming a lower court judgment to dismiss the lawsuit against the city challenging its removal of a downtown confederate monument. The case was scheduled for review Feb. 22 by the N.C. Court of Appeals, the next step in a lengthy process to determine the fate of the obelisk that was built to honor former Gov. Zebulon Vance. In an opinion authored by Judge John Arrowood, the court ruled that the Society for the Historical Preservation of the 26th North Carolina Troops, which brought the challenge against the city, ‘lacked standing to assert its claims,’ and that the trial court did not err in dismissing the society's complaint.” [Asheville Citizen-Times, 4/7/22]
- **2025: Arrowood authored an opinion upholding the removal of a Confederate monument in Pitt County.** “A state appellate court upheld a trial court's decision that plaintiffs did not have legal standing to challenge the removal of a Confederate monument from the Pitt County Courthouse in 2020 and ruled they filed their appeal after the statute of limitations had passed. A three-judge Court of Appeals panel reviewed the case without argument on Aug. 14. Their decision was filed Nov. 5. The majority opinion was written by Judge John S. Arrowood with Judge Jeffery Carpenter concurring. Judge John M. Tyson dissented.” [Greenville Daily Reflector, 11/11/25]

2020: Arrowood ruled that North Carolina’s voter ID law was enacted with racially discriminatory intent. “North Carolina's new voter ID law appears to have been enacted with racially discriminatory intent and will be at least temporarily blocked during the 2020 elections, the N.C. Court of Appeals ruled Tuesday. [...] The court's ruling was unanimous, with judges Toby Hampson, Allegra Collins and John Arrowood all signing on. All three are Democrats.” [Raleigh News & Observer, 2/18/20]

- **Republicans alleged that Arrowood and the other appellate judges who ruled against voter ID were unethical “liberal judicial activists.”** “Republicans counter that the appellate judges who issued the injunction are biased. ‘As liberal judicial activists to demonstrate their disdain for electoral integrity, a huge story yesterday from WTVD found that two of the Democrats on the all-Democrat three-judge panel took public stances on voter ID before hearing a critical case on North Carolina's voter ID law -- a clear violation of judicial ethics,’ North Carolina Republican Party spokesman Jeff Hauser said Thursday. ‘Judges Toby Hampson and John Arrowood both answered questions concerning voter ID on a questionnaire for a far-left PAC. Judges Toby Hampson and John Arrowood both answered questions concerning voter ID on a questionnaire for a far-left PAC.’” [Wilson Daily Times, 2/25/20]

2019: Arrowood was a dissenting vote in a ruling allowing the North Carolina Highway Patrol to pull over drivers for flipping them off. “A North Carolina Highway Patrol officer did not break the law when he pulled over a driver who flipped him the middle finger, the state Court of Appeals said in a decision this week. Shawn Patrick Ellis asked the court to throw out evidence from the traffic stop on Jan. 9, 2017, arguing that the stop was illegal, according to the decision. [...] In a dissenting opinion, Judge John Arrowood disagreed. A passenger waving his middle finger out a car did not justify a traffic stop, Arrowood argues. ‘While defendant's actions were distasteful, they were, in my opinion, within the realm of protected speech under the First Amendment of the United States Constitution. Given that this was protected speech, I believe that the stop was not supported under the reasonable suspicion test of the

Fourth Amendment,' Arrowood says, disagreeing with the other two judges on the appeals court.” [Raleigh News & Observer, 8/7/19]

2019: Arrowood voted to overturn the drunk driving conviction of a woman whose BAC tested at twice the legal limit. “A North Carolina woman who was convicted of drunken driving after her blood alcohol content tested at twice the legal limit had her conviction overturned Tuesday by the N.C. Court of Appeals. The opinion in the case focused on police accountability, and specifically people's Fourth Amendment rights against unreasonable searches and seizures. [...] The opinion was the first that's been written by Judge Chris Brook, who joined the court last month after Democratic Gov. Roy Cooper appointed him to fill a vacant seat. Before he joined the Court of Appeals, Brook was the top lawyer for the ACLU's North Carolina chapter. The other two judges on the case, Lucy Inman and John Arrowood, are also Democrats. They unanimously joined Brooks' opinion.” [Raleigh News & Observer, 6/18/19]

2000: Arrowood represented NASCAR owner Rick Hendrick who was pardoned by Bill Clinton for mail fraud. “NASCAR team owner and Charlotte car dealer Rick Hendrick, who pleaded guilty to mail fraud three years ago, was granted a full pardon by President Clinton on Friday, federal officials said. Hendrick, 51, was fined \$250,000 and sentenced in December 1997 to 12 months' home confinement and three years' probation in connection with an ongoing government investigation into a bribery scandal at American Honda Co. He also was ordered not to have anything to do with his auto dealerships or NASCAR racing operations during the home detention. [...] U.S. Attorney Mark Calloway, whose office prosecuted Hendrick's case, declined to comment. Hendrick's attorney, John Arrowood, also would not talk.” [Charlotte Observer, 12/23/00]

- **Arrowood denied that Hendrick’s pardon was tied to a donation to the Clinton Library.** “A lawyer for Rick Hendrick, the Charlotte car dealer who once pleaded guilty in a bribery scheme and won a pardon from President Clinton in December, denied Tuesday there was a connection between the pardon and a donation to Clinton's presidential library. The statement from Charlotte lawyer John Arrowood said Hendrick ‘followed to the letter’ the U.S. Justice Department's procedures for pardon applications. What's more, according to the statement, neither Hendrick nor Arrowood was aware of the \$500,000 donation pledged to Clinton's library by the Bank of America Foundation ‘until it was reported in the media this week.’” [Charlotte Observer, 2/28/01]

POLITICAL VIEWS

2025: Arrowood warned at a pride event that LGBTQ “rights are on the ballot every election.” “Rainbow flags, bubbles and smiles filled the streets of downtown Waynesville on Saturday, June 28, for the county's second annual Pride parade and festival. More than a thousand people came out to celebrate and support one another, with organizers saying the crowd outnumbered last year's inaugural event. [...] Speakers before the parade echoed messages of unconditional love, while not shying away from the challenges the LGBTQ+ community faces today. ‘Happy anniversary, because 10 years ago yesterday, we obtained the right to marry who we want. But folks, those rights are on the ballot every election,’ said North Carolina Court of Appeals Judge John Arrowood.” [Waynesville Mountaineer, 7/1/25]

2016: Arrowood was a Hillary Clinton delegate to the Democratic National Convention. “John Arrowood Delegate Hillary Clinton.” [Greensboro News & Record, 7/23/16]

2016: Arrowood supported new protections for LGBTQ people passed by the Charlotte City Council. “After more than three hours of impassioned public comment Monday night, Charlotte City

Council approved new legal protections for gay, lesbian and transgender people - a decision that will likely provoke a battle with the General Assembly, which could nullify the city's historic vote. Council members approved expanding the city's existing nondiscrimination ordinance in a 7-4 vote. [...] Supporter John Arrowood, an attorney, said: 'Discrimination against LGBT people is real. ... We've seen the opposition focus on fear-mongering which has no basis in fact.'" [Charlotte Observer, 2/22/16]

2004: Arrowood was a fundraiser for John Edwards and a delegate to the Democratic National Convention. "John Arrowood 47, Charlotte, lawyer. Active fund-raiser for John Edwards, Jim Hunt and other Democrats. Third time as delegate." [Charlotte Observer, 7/25/04]

2000: Arrowood served as the North Carolina delegation whip at the Democratic National Convention. "Here's a look at Charlotte area delegates going to the Democratic convention in Los Angeles: John Arrowood Age: 43 Hometown: Charlotte Lawyer who will be the whip for the delegation." [Charlotte Observer, 8/13/00]

1996: Arrowood served as a delegate to the Democratic National Convention. "John Arrowood, 39, Charlotte: A lawyer and first-time delegate, he says Clinton should run on his record of growing the economy while keeping inflation low." [Charlotte Observer, 8/25/96]

1992: Arrowood headed Bill Clinton's Mecklenburg County campaign. [Charlotte Observer, 1/14/96]

Michael C. Byrne (R)

Michael Byrne has been serving as an administrative law judge since 2020. Prior to that he was an attorney in private practice. Byrne lives in Cary and is running for appeals court on a platform touting his experience and conservative pro-law enforcement credentials.

NOTE: There is another attorney Michael J. Byrne who also [practices law](#) in Raleigh. Every effort has been made to distinguish between these two attorneys in the preparation of this memo.

BACKGROUND & PHILOSOPHY

Byrne's judicial philosophy is "Get it right." "Michael's judicial philosophy is summarized by the one-sentence directive the Chief Judge at OAH gave him when he first started there: 'Get it right.' He believes passionately in due process, fairness, giving all sides a chance to be heard, and deciding cases strictly based on the law, without fear or favor." [Elect Michael C. Byrne, accessed [2/11/26](#)]

2020: Byrne became an administrative law judge. "In June 2020, Michael was sworn in as an Administrative Law Judge, where in just over five years he has issued almost 400 Final Decisions (opinions). Michael writes his decisions himself instead of delegating this important work to others. Michael's top priority is giving fair hearings to all parties. Nine of Michael's decisions were later appealed to the Court of Appeals. All were unanimously affirmed (upheld) by the Court of Appeals, most recently in October 2025." [Elect Michael C. Byrne, accessed [2/11/26](#)]

2008-2020: Byrne worked as a litigator and operated the Law Offices of Michael C. Byrne. "Byrne has served as a litigator over the past 12 years, appearing in more than 270 contested cases on behalf of petitioners. Most recently he operated the Law Offices of Michael C. Byrne, P.C. Byrne has appeared in

numerous cases before the N.C. Court of Appeals and N.C. Supreme Court.” [North Carolina Bar Blog, [6/23/20](#)]

- **Byrne’s practice was focused on “representing law enforcement and public employees.”** “After several years of trial and appellate practice in North Carolina’s State and Federal courts, Michael restricted his law practice to representing law enforcement and public employees in the North Carolina Office of Administrative Hearings (OAH), Superior Court, the Court of Appeals, and the Supreme Court. Between 2005 and 2020, Michael appeared in over 270 cases in OAH, serving as a referral attorney for multiple law enforcement organizations. (See his endorsements from three law enforcement organizations and read this article from a police organization about Michael’s work supporting police officers.)” [Elect Michael C. Byrne, accessed [2/11/26](#)]
- **Byrne said state agencies frequently settled with his clients “primarily because I’ve beaten them so much.”** “Byrne declined to discuss the specifics of the case. But he frequently represents public employees who want to fight back against what they claim are unfair disciplinary actions and terminations. He said some agencies he deals with are reasonable when considering whether to settle. Others, he said, refuse to back down in a manner ‘approaching childishness.’ ‘Most of my cases these days with the agencies tend to be settled,’ Byrne said. ‘At the risk of sounding that way, I think it’s primarily because I’ve beaten them so much.’” [Charlotte Observer, 3/11/19]

1995: Byrne received a law degree from Campbell Law School. [North Carolina Bar Blog, [6/23/20](#)]

1991: Byrne graduated from North Carolina State University. “He is a graduate of North Carolina State University, where he graduated cum laude with a degree in English in 1991, and Campbell Law School (1995).” [North Carolina Bar Blog, [6/23/20](#)]

Judicial Campaign

Byrne has been endorsed by all three major police organizations in North Carolina. “I am the only NC Court of Appeals candidate endorsed by: The National Association of Police Organizations (NAPO): 241,000 sworn officers and 1,000 police organizations nationwide; The North Carolina Fraternal Order of Police (FOP): Part of the nation’s largest police fraternal organization; The North Carolina Police Benevolent Association (PBA): NC’s largest law enforcement organization. This combination of endorsements is unprecedented in a NC judicial primary.” [Elect Michael C. Byrne, accessed [2/11/26](#)]

Byrne emphasizes experience, conservatism, and fairness in his campaign materials. “Michael Is Your EXPERIENCED Candidate: Decades of trial work: 272 cases as a lawyer in the Office of Administrative Hearings and more than 20 cases in the Court of Appeals and Supreme Court. Almost 400 decisions in more than five years as an Administrative Law Judge. Upheld by the Court of Appeals* in complex cases like Certificate of Need and public employment. Experience like this can only be earned. And it’s what’s needed to win a Court of Appeals seat for Republicans. Michael Is Your CONSERVATIVE Candidate: ‘Conservative Judge’ is more than words on a piece of paper. Conservative judges know that fairness comes first. They listen to both sides. They know the law. They protect the rights in our North Carolina Constitution. They apply the law, not “make” the law. Conservative judges serve the people. That’s Michael’s record, in 390 decisions and counting. Michael Is Your FAIRNESS Candidate: As an attorney, Michael ensured fairness for NC law enforcement officers and other state employees from Administrative Hearings all the way to the state Supreme Court.

He never lost a law enforcement officer case in the Supreme Court or the Court of Appeals. As an Administrative Law Judge, Michael protects the rights of all parties. He issues decisions strictly based on due process and the law, without fear or favor. Michael will bring to the Court of Appeals decades of proven legal expertise.” [Elect Michael C. Byrne, accessed [2/11/26](#)]

Byrne is being attacked by his primary opponent for donations he made to Democratic Governor Roy Cooper and Democratic judicial. “Superior Court Judge Matt Smith and Administrative Law Judge Michael Byrne have tangled most recently over who is more conservative. Smith is a Union County native who earned his law degree from Campbell University and was a trial attorney. He won a district court seat in 2020 and superior court contest in 2022. Byrne grew up in Wake County and also got his law degree from Campbell. He has been an administrative law judge since 2020. Byrne donated \$500 to Arrowood in 2018, according to campaign finance records, in the first general election cycle after Court of Appeals races became partisan. Byrne said in an interview that he was unaware at the time that Arrowood was a Democrat. Smith said that contribution and others, including to former Gov. Roy Cooper, raise questions about Byrne’s loyalty to the GOP. Byrne points to endorsements from the National Association of Police Organizations, North Carolina Fraternal Order of Police, and North Carolina Police Benevolent Association as a sign he’s more than qualified.” [The Assembly, [2/10/26](#)]

NOTABLE CASES

2017: Byrne represented a state prison supervisor accused by multiple female officers of sexual harassment. “A state prison supervisor was fired this year after multiple female officers said he rubbed his groin in their presence and made sexual comments such as, ‘You don't know what I could do to you.’ Bernard Robinson, a former sergeant at Lumberton Correctional Institution south of Fayetteville, had worked for the state for 22 years before he was fired in February. Details of the accusations remained out of the public eye until this September when a judge affirmed the firing. [...] Robinson has denied all the allegations, saying the women either misunderstood him or were out to get him. The administrative law judge, Donald Overby, disagreed and said Robinson's behavior ‘unquestionably amounted to sexual harassment.’ But the case isn't done yet because Robinson has appealed again, said his attorney, Michael C. Byrne, who runs a Raleigh firm that specializes in representing state employees. The case is now in superior court.” [Raleigh News & Observer, 11/9/17]

2017: Byrne represented a former Pat McCrory administration spokesman who claimed he was fired by Governor Roy Cooper for being a Republican. “A former spokesman in the McCrory administration is fighting his dismissal in a case that could redefine which employees can be laid off when a new governor takes office. David Prickett, who was communications director for the Office of State Human Resources until Jan. 19, claims he was fired by the Democratic administration of Gov. Roy Cooper because he is a Republican. [...] ‘This type of arbitrary or politically motivated dismissal of employees who have done nothing wrong is exactly what our state personnel laws were passed to prevent,’ said Prickett's attorney, Michael C. Byrne, a Raleigh lawyer who represents state workers.” [Raleigh News & Observer, 1/28/17]

2015: Byrne represented corrections officers fired after the death of an inmate. “When an inmate died of dehydration last year after lying handcuffed for days in his feces and urine, Secretary of Public Safety Frank Perry ordered an investigation that culminated in the firing of nine employees. ‘We have been righteous with our investigation and dismissals,’ But after some employees challenged their firings, problems have emerged with many of the dismissals. Five of the nine employees have gotten their firings rescinded. In the latest case, an administrative law judge ordered reinstatement, back pay and attorney fees for Michael Youron, a psychologist who didn't treat inmate Michael Anthony Kerr and

who was on leave for the last six days of Kerr's life. [...] Michael Byrne, the lawyer for Youron and four others who were fired, said the facts emerged in the Kerr case because of the Office of Administrative Hearings. Employees can gather evidence and cross-examine witnesses under oath before an independent judge. 'Without those, it would have been unlikely that we would have won any of these cases,' Byrne said. Byrne noted that for three years Gov. Pat McCrory has proposed removing the Office of Administrative Hearings from the process when state employees challenge their firings. The legislature has not acted on McCrory's proposal." [Raleigh News & Observer, 7/5/15]

2013: Byrne represented police officers fired for allegedly covering up a drunk driving incident by a State Highway Patrol captain. "Late one night, a Butner Public Safety officer pulled over a suspected drunken driver who turned out to be a captain in the State Highway Patrol, and took him to a hotel instead of jail. When word leaked out, the repercussions were swift: Four law enforcement officers were fired within months. But 3-1/2 years later, the case against the officers has crumbled. All but one of them have won court battles challenging their dismissals, as judges found there was insufficient evidence that the patrol captain was drunk, or that the Butner officers gave him special treatment or tried to cover it up. [...] Attorneys for the fired officers say the case has been devastating, tarnishing their reputations and forcing them into years of litigation. Raleigh attorney Michael C. Byrne, who represented one of the Butner officers, says his client was railroaded in a politically motivated purge while the Perdue administration did damage control. At the time, then-Gov. Bev Perdue, reacting to this and a spate of other episodes of trooper misconduct, assured the public there would be 'zero tolerance' for unethical or illegal behavior in the ranks. 'These people ruined his career over a false allegation when they, honestly, should have known better,' Byrne said Wednesday. 'They should have given an experienced, ethical law enforcement officer at least the benefit of the doubt, with an eye toward finding the facts.' Byrne's client, former Butner Capt. Bruce Williams, who was 45 days from retirement eligibility when he was fired, won his job back but chose to retire. After several years without a job, he now works for the Granville Sheriff's Department. After a settlement in February, he is collecting more than \$100,000 in back pay, Byrne said. The state will also pay him \$14,000 in attorney's fees, according to the settlement." [Raleigh News & Observer, 10/23/13]

2012: Byrne represented a DMV law enforcement agent who said his superiors put a tracking device in his car. "A high-ranking law enforcement officer in the state Division of Motor Vehicles says his superiors planted a hidden tracking device in his state-issued car in hopes of finding something to use against him in a long-running personnel dispute. Michael Weaks, a supervisor in the License and Theft Bureau, made the accusation in a lawsuit filed Thursday in Wake County Superior Court. The suit contends DMV Commissioner Mike Robertson and at least two other top officials in the division were part of a conspiracy to discredit him. [...] 'What stands out here is the breach of trust,' said Michael C. Byrne of Raleigh, who is Weaks' attorney. 'For people who risk their lives on a regular basis to protect us, to have their own senior management hiding a tracking device in their vehicle for no legitimate reason is a pretty sad occurrence.'" [Raleigh News & Observer, 2/3/12]

2008: Byrne represented a State Ethics Commission employee who said she was fired for raising concerns about preferential treatment being given to Democratic Lt. Gov. Beverly Perdue. "A former State Ethics Commission employee who was fired after raising concerns about possible preferential treatment to Lt. Gov. Beverly Perdue filed a whistleblower lawsuit in state Superior Court on Tuesday. Amanda Thaxton, an office assistant, said the firing has hit her hard financially, and she wants a judge to reinstate her immediately. She is seeking an award of triple damages -- as the state's whistleblower law allows -- plus legal fees for being fired for reporting her concerns to the state auditor and the State Personnel Commission. 'This was [Thaxton's] first job out of college,' said her attorney, Michael C. Byrne of Raleigh. 'She comes in from Elon University, gets a job from the state and then is

abruptly fired for cooperating and engaging in protected activity. That's just not right.” [Raleigh News & Observer, 9/3/08]

2007: Byrne represented a DMV whistleblower who claimed he was forced to undergo a psychological evaluation. “An assistant director at the N.C. Division of Motor Vehicles filed a whistleblower lawsuit in state court Tuesday, saying he is being retaliated against after he reported that DMV Commissioner George Tatum had sought to help a friend get a vintage truck title for a replica. Shortly after making the allegation last month in a memo, Joey Gardner was interviewed about it by two internal affairs officers. Later that day, two of Gardner's superiors told him that he was suspended with pay and ordered him to undergo a psychological evaluation. They took his badge, gun and the keys to his state car. A deputy secretary at the state Department of Transportation, which oversees the DMV, reinstated Gardner before the day was over. But Gardner, who is a sworn officer in the DMV's license and theft bureau, still does not have his gun and is being required to undergo the evaluation, said his attorney, Michael Byrne. ‘This is just blatant abuse, not only of Mr. Gardner but of this policy, which is designed for genuine mental health emergencies,’ Byrne said. ‘This is something that reminds one more of the Soviet Union than of North Carolina.’ Byrne said Gardner is seeking a return of his gun, an end to the evaluation, attorneys' fees and monetary damages from DOT and the DMV for violating the state whistle-blower act.” [Raleigh News & Observer, 7/18/07]

POLITICAL VIEWS

2016: Byrne testified at a hearing on legislation seeking to sharply limit Democratic Governor Roy Cooper’s appointment power. “A plan to sharply limit Gov.-elect Roy Cooper's appointment powers cleared a state House Thursday evening in a 70-36 vote along party lines, despite objections from a state employees' group and Democrats. House Bill 17 had been introduced Wednesday evening, one of several measures to curb Cooper's power moving quickly through the legislature's special session. The House Rules Committee approved the bill earlier Thursday in a voice vote after a short meeting and public hearing, with Democrats voting no. The bill would make the governor's Cabinet appointments subject to approval by the state Senate and cut his ability to appoint members to UNC schools' boards of trustees. Another provision would cut the number of employees who serve at the governor's pleasure from 1,500 to 300, reversing an expansion that legislators approved for Republican Gov. Pat McCrory at the start of his term. It would prevent the governor from having any such employees in the state's budget office and human resources office. [...] Michael Byrne, a state personnel law attorney who spoke during the public hearing, said the change in exempt positions goes too far. ‘For principles of sound personnel administration, whether the person is a Democrat or Republican, the governor needs sufficient people who report to him or her to support his or her agenda,’ Byrne said. ‘I submit that 600 is a more reasonable number - 1,500 was frankly too many.’” [Raleigh News & Observer, 12/15/16]

2013: Byrne opposed legislation promoted by Republican Governor Pat McCrory that he said would mean a “return to the 19th century system where state employees serve at the governor’s pleasure.” “Until the end of the 19th century, state personnel ‘systems’ were simple: When the governor’s office changed parties, everyone was fired. State jobs were political “gifts,” handed out to the winning side. Eventually a consensus formed that a state work force of purely political hires wasn’t sound policy: Whoever the governor is, there are recurring government functions requiring experienced professionals, such as engineers, nurses, State troopers and the like. Firing these persons after every election and replacing them with inexperienced political loyalists didn’t serve the public interest, nor did state workers serving at the pleasure of the governor and subjected to political interference in their jobs. The result is today’s state personnel system, in which non-policymaking state employees have a ‘property interest’ in their jobs. This does not mean state employees ‘can’t be fired’ – state workers are

fired regularly. It does mean that after a dismissal or other serious disciplinary action, employees may appeal, at their expense, to an impartial decision-maker for a hearing on the dismissal. But legislation pending in the General Assembly, backed by Gov. Pat McCrory, will make it nearly impossible for state employees to challenge their dismissals, a practical return to the 19th century system where state employees serve at the governor's pleasure. Even the courts would be largely powerless to overturn arbitrary or politically motivated personnel decisions by the governor's appointees. [...] North Carolina needs experienced, professional state workers serving without political influence and with some protection against arbitrary dismissal. The pending bill, pushed by McCrory, creates a system that is more complicated and less independent, and adds multiple layers of bureaucracy and expense. The ultimate result will be an end to independent decision-making in employee appeals, with all state employees serving at the political pleasure of the governor." [Michael Byrne Op-Ed, Raleigh News & Observer, 5/20/13]

- **Byrne praised the legislature for watering down the bill, but still expressed concerns about de-professionalizing the civil service.** "Gov. Pat McCrory is expected to sign a bill that speeds up the employee grievance process for state workers but backs away from earlier efforts to sharply curtail their civil service protections. The measure, initiated by the McCrory administration, also increases the number of political hires the governor can make to 1,500, moves the State Personnel Office under the direct control of the governor's office and shortens the appeal process for state employees who are fired or disciplined. But the measure no longer includes the most contentious proposal – removing the employee appeals process from independent administrative law judges to hearing officers named by political appointees of the governor. [...] Michael Byrne, an employment attorney, praised the legislature for vastly changing the bill, and protecting the rights of state workers. But he said the record high number of exempt positions was troubling. 'The danger there, is more institutional,' Byrne said. 'If you have a true interest in a professionalized civil service at the state level you are essentially telling some capable young woman or man who wants to enter government service that you can only get up to a certain relatively mid level before you have to have a political patron or you have to be politically involved.'" [Raleigh News & Observer, 8/5/13]

2007: Byrne accused Democratic Governor Mike Easley of breaking the law. "As an attorney litigating personnel cases in the Office of Administrative Hearings, I was appalled to read Highway Patrol Col. Fletcher Clay's attack on Administrative Law Judge Melissa Owens Lassiter (People's Forum letter, Sept. 25). I have appeared in Lassiter's court numerous times. She consistently demonstrates professional acumen and impartiality. Clay's ire clearly stems from the fact that his agency (a) appeared in court and (b) didn't get the decision it wanted. Does this result warrant such public petulance by a state official? Of course, one can hardly blame Clay, given that the governor who appointed him, Mike Easley, has now proclaimed that he will not allow the trooper concerned to return to the Highway Patrol whatever the courts decide -- despite the law explicitly stating that such employees are to be restored to the 'same or similar' position they had prior to their illegal termination. In my view, a governor and his officials unilaterally defying the law are a far greater threat to public employee discipline -- to say nothing of the public trust -- than a judge who merely enforces that law." [Michael Byrne Letter to the Editor, Raleigh News & Observer, 9/26/07]

Matthew B. Smith (R)

Matt Smith is a Union County native who earned his law degree from Campbell University in 2002. He then practiced law for 18 years as a trial attorney before winning a district court seat in 2020 and superior court contest in 2022. Smith is running as part of a slate of "Conservative Judges."

BACKGROUND & PHILOSOPHY

2022: Smith was elected unopposed as Superior Court Judge District 20B Seat 02. [North Carolina State Board of Elections, [11/8/22](#)]

2020: Smith was elected District Court Judge District 20D Seat 02. [Monroe Enquirer-Journal, 11/4/20]

2002-2020: Smith was a trial attorney in private practice. “Prior to taking the bench as a judge, he practiced law as a trial attorney for over 18 years. He worked in a firm for 8 years, then founded and operated his own firm for more than a decade. He practiced in criminal and civil courts.” [Committee to Elect Matthew B. Smith, [accessed 2/10/26](#)]

2002: Smith graduated from law school at Campbell University School of Law. “He later earned his Juris Doctorate degree from Campbell University School of Law in May of 2002. While in law school, he was a Staff Member and Articles Editor of the Campbell University Law Review and graduated Cum Laude.” [Committee to Elect Matthew B. Smith, [accessed 2/10/26](#)]

1997: Smith got his undergraduate degree at the University of North Carolina. “He earned his bachelor’s degree in Industrial Relations and Psychology from the University of North Carolina at Chapel Hill in May of 1997.” [Committee to Elect Matthew B. Smith, [accessed 2/10/26](#)]

1991: Smith graduated from Sun Valley High School. “Judge Smith attended Union County Public Schools, graduating from Sun Valley High School in 1991.” [Committee to Elect Matthew B. Smith, [accessed 2/10/26](#)]

Judicial Campaign

2025: Smith announced his campaign for Court of Appeals. “Matt Smith, of Monroe, is running for N.C. Court of Appeals Judge Seat 1. The Republican was elected as a District Court judge in 2020 and a Superior Court judge in 2022.” [Union County Weekly, 12/2/25]

Smith claims to be the most conservative candidate in the race and is attacking Michael Byrne for contributions that Byrne made to Democrats. “Superior Court Judge Matt Smith and Administrative Law Judge Michael Byrne have tangled most recently over who is more conservative. Smith is a Union County native who earned his law degree from Campbell University and was a trial attorney. He won a district court seat in 2020 and superior court contest in 2022. Byrne grew up in Wake County and also got his law degree from Campbell. He has been an administrative law judge since 2020. Byrne donated \$500 to Arrowood in 2018, according to campaign finance records, in the first general election cycle after Court of Appeals races became partisan. Byrne said in an interview that he was unaware at the time that Arrowood was a Democrat. Smith said that contribution and others, including to former Gov. Roy Cooper, raise questions about Byrne’s loyalty to the GOP. Byrne points to endorsements from the National Association of Police Organizations, North Carolina Fraternal Order of Police, and North Carolina Police Benevolent Association as a sign he’s more than qualified.” [The Assembly, [2/10/26](#)]

- **Smith: “My opponent has been financially supporting the Democrat opponents of the Conservative Judges and Justices that I and many of you, have actively championed for.”**
“Good evening. I was made aware of a post going around yesterday regarding my Primary

opponent and past campaign contributions. Following that post I received the attached information. I was surprised. My Primary opponent announced his run for the Court of Appeals with his stated mission of defeating John Arrowood as the Conservative, experienced candidate. John Arrowood is the Democrat who currently holds the seat my opponent and I are seeking. According to the list provided, not only did my opponent give money multiple times in multiple elections to Roy Cooper, 8 Democrat appellate court Judges and Justices, and several other judicial and legislative candidates, he contributed to the very man he vows to defeat this November. I have been working very hard for years to ensure we elect Conservative Judges to the Bench; both locally and statewide. I have worked polls, spoken at events, put out signs, distributed campaign materials, knocked doors and promoted Conservative Judges on social media. Apparently, during this same time, my opponent has been financially supporting the Democrat opponents of the Conservative Judges and Justices that I and many of you, have actively championed for.” [Matt Smith Facebook, [1/7/26](#)]

NOTABLE CASES

2023: Smith sentenced a youth group leader convicted of felony sex offenses against children to up to 19 years in prison. “‘I am not his victim, I am a survivor.’ Those are the words spoken by one of Jason Hensley's accusers just before sentencing on Tuesday morning. Minutes later, Superior Court Judge Matt Smith sentenced Hensley, who pleaded guilty to four counts of felony statutory sex offense with a child under 15 and four counts of felony first degree sexual exploit of a minor. Hensley was sentenced to a minimum of 144 months to a maximum of 233 months in the Department of Corrections. Additionally, Hensley must register as a sex offender for 30 years and is to be on supervised probation with electronic monitoring for five years following for five years following his release from prison.” [Montgomery Herald, 8/30/23]