

NOTE: (If DWI, use AOC-CR-342 (active) or AOC-CR-310 (probation). If active sentence to DOC, use AOC-CR-602. If supervised probation, use AOC-CR-604.) DOC

MAGISTRATE'S ORDER - MISDEMEANOR ONLY

The named defendant has been arrested without a warrant and there is probable cause for the defendant's detention on the stated charges. This Magistrate's Order is issued upon information furnished under oath by the named officer. A copy of this Order has been delivered to the defendant.

Date: _____ Signature Of Magistrate/Deputy/Assistant/CSC: _____

COURT USE ONLY

District Attorney: _____ Attorney For Defendant At Time Of Trial Or Plea: _____

Appointed Retained Waived

PRIOR CONVICTIONS:

No./Level: 0 I (0) II (1-4) III (5+)

VERDICT/FINDING: guilty/resp. no contest MISD. CLASS: A1 1 2 3

guilty/resp. no contest MISD. CLASS: A1 1 2 3

not guilty/resp. not guilty/resp. V/D

JUDGMENT: The defendant appeared in open court and freely, voluntarily and understandingly entered the above plea; on the verdict/finding, it is ORDERED that the defendant: pay costs and a fine/penalty of \$ _____ be imprisoned for a term of _____ days in custody of the sheriff. Pretrial credit _____ days served. The Court finds that a longer shorter period of probation than specified in G.S. 15A-1343.2(d), is necessary. Execution of sentence is suspended and the defendant is placed on unsupervised probation for _____ months, subject to the following conditions: (1) that he/she abide by all regular conditions of unsupervised probation; (2) pay costs and a fine/penalty of \$ _____; (3) surrender his/her drivers license and not operate a motor vehicle for a period of _____ or until relicensed by DMV, whichever is later, except as may be permitted in a limited driving privilege; (4) Other: _____

It is ORDERED that this: Judgment is continued upon payment of costs. case be consolidated for judgment with _____

sentence is to run at the expiration of the sentence in _____

COMMITMENT: It is ORDERED that the Clerk deliver two certified copies of this Judgment and Commitment to the sheriff and that the sheriff cause the defendant to be retained in custody to serve the sentence imposed or until the defendant shall have complied with the conditions of release pending appeal.

The defendant in open court, gives notice of appeal to the Superior Court. The current pretrial release order is modified as follows:

Date: _____ Signature Of District Court Judge: _____ I certify that this Judgment is a true copy. Date: _____ Signature Of Deputy/Assistant/CSC: _____

File No. **C 3477254-1**

NORTH CAROLINA UNIFORM CITATION

Defendant is To Appear In District Court **FAWELLEN**

Day Of Week **THURS** Month **4** Day **18** Year **13** Time **9:00** AM/PM **AM**

D.L. D.C.I. Other

No. Of Charges _____

Name Of Defendant **MAUR E. BERRY**

Address **RD**

City **NC** State **NC** Zip **27731**

Drivers License No. _____ State **NC** CDL **-** Class **C**

Race **W** Sex **M** Date of Birth _____ Age **44**

Social Security No. Of Defendant _____ Telephone No. _____

Vehicle License No. _____

Vehicle Type _____ Trailer Type _____ CMV _____ Haz. Mat. _____ Make _____ Year _____

Name And Telephone No. Of Defendant's Employer _____

Date Of Arrest & Check Digit No. (As Shown On Fingerprint Card) _____

Officer **CA MURPHY** No. **5709** Troop _____

District **DEPARTMENTAL USE ONLY**

Area N.C. Patrol Police/Sheriff

Area Wea. Traffic Accident Speed

On Highway No./Street **376** SHP Code _____

In Vicinity/City Of **DAWLEY ROBERTSON RD.** A/U Near Intersection _____

Wit. Chemical Analyst Refused AC

STATE OF NORTH CAROLINA **MAUR** County

The undersigned officer has probable cause to believe that on or about **4/13/13** at **9:00** AM, the **134** day of **March** **2013** in the named county, the named defendant did unlawfully and willfully operate a (motor) vehicle on a (street or highway) (public vehicular area) _____ MPH in a _____ MPH zone, G.S. 20-141.

1. At a speed of _____

2. In forward motion without having the provided seat belt properly fastened about the defendant's body, G.S. 20-135.2A.

3. By transporting a passenger of less than 16 years of age without having the passenger in a (weight appropriate child passenger restraint system) (seat belt), G.S. 20-137.1. [NOTE: If under age five and less than 40 pounds, a child passenger restraint system is required.]

4. By transporting a child of less than the years of age and less than 40 pounds in weight without the child being secured in the rear seat, when the vehicle was equipped with an active passenger-side front air bag and the vehicle had a rear seat, G.S. 20-137.1.

5. While subject to an impending substance, G.S. 20-139.1.

6. Without being licensed as a driver by the Division of Motor Vehicles of North Carolina, G.S. 20-7(a).

7. While the defendant's drivers license was revoked, G.S. 20-28.

8. While displaying an expired registration plate on the vehicle knowing the same to be expired, G.S. 20-111(2).

9. Without displaying thereon a current approved inspection certificate, such vehicle requiring registration in North Carolina, G.S. 20-183.2.

Month expired _____

10. By failing to see before (staring) (stopping) (turning from a direct line) that such movement could be made in safety, G.S. 20-154.

11. By failing to stop at a duly erected (stop sign) (flashing red light), G.S. 20-158.

12. By entering an intersection while a stop light was emitting a steady red light for traffic in defendant's direction of travel, G.S. 20-158.

13. By failing to yield right of way in obedience to a duly erected (stop sign) (flashing red light) (yield sign), G.S. 20-158, -159.1.

14. (Possess an open container of) (Consumed) an alcoholic beverage in the passenger area of a motor vehicle, G.S. 20-138.7(a). [NOTE: Smoke through (motor) vehicle and (public vehicular area) at top of citation.]

15. **DID OPERATE AND PLACE ELECTRONIC MACHINE OR DEVICE TO PROMOTE A SUGGESTION THAT IS CAPUTED THROUGH THE USE OF AN ENTERTAINMENT DEVICE 14-306.4(b)(2)**

16. And on or about _____ (a) (p) m, _____ day of _____, in the _____ named county, the named defendant did unlawfully and willfully operate a (motor) vehicle on a (street or highway) (public vehicular area)

Date **4/18/13** Signature Of Officer **CA MURPHY**

I acknowledge receipt of this Citation and I promise to appear in the named court at the time and place designated herein to answer the charge(s). I understand that my failure to appear or to dispose of this Citation by other acceptable legal means, such as waiver, will result in my operator's license (suspended by my state of residence being suspended until I have done so. Also, I may go before a magistrate and make bail in lieu of my personal recognizance.

Date **4/18/13** Signature Of Defendant **MAUR E. BERRY**

AOC-CR-500, Rev. 2002 (Structural Sentencing), © 2002 Administrative Office of the Courts

In The General Court Of Justice District Court Division

NOTE: (If DWI, use AOC-CR-342 (active) or AOC-CR-310 (probation). If active sentence to DOC, use AOC-CR-602. If supervised probation, use AOC-CR-604.) DOC

MAGISTRATE'S ORDER - MISDEMEANOR ONLY

The named defendant has been arrested without a warrant and there is probable cause for the defendant's detention on the stated charges. This Magistrate's Order is issued upon information furnished under oath by the named officer. A copy of this Order has been delivered to the defendant.

Date

Signature Of Magistrate/Deputy/Assistant/CSC

COURT USE ONLY

District Attorney

Attorney For Defendant At Time Of Trial Or Plea

Appointed
 Retained
 Waived

PRIOR CONVICTIONS:

No./Level: 0 I (0) II (1-4) III (5+)

PLEA: guilty/resp. no contest
 guilty/resp. no contest
 not guilty/resp.

VERDICT/ FINDING: guilty/resp.
 guilty/resp.
 not guilty/resp.

MISD. CLASS: A1 1 2 3
MISD. CLASS: A1 1 2 3

JUDGMENT: The defendant appeared in open court and freely, voluntarily and understandingly entered the above plea; on the verdict/finding, it is ORDERED that the defendant: pay costs and a fine/penalty of \$ _____ be imprisoned for a term of _____ days in custody of the sheriff. Pretrial credit _____ days served. The Court finds that a longer shorter period of probation than specified in G.S. 15A-1343.2(d), is necessary. Execution of sentence is suspended and the defendant is placed on unsupervised probation for _____ months, subject to the following conditions: (1) that he/she abide by all regular conditions of unsupervised probation; (2) pay costs and a fine/penalty of \$ _____; (3) surrender his/her drivers license and not operate a motor vehicle for a period of _____ or until relicensed by DMV, whichever is later, except as may be permitted in a limited driving privilege; (4) Other: _____

It is ORDERED that this: Judgment is continued upon payment of costs. case be consolidated for judgment with _____
 sentence is to run at the expiration of the sentence in _____
 COMMITMENT: It is ORDERED that the Clerk deliver two certified copies of this Judgment and Commitment to the sheriff and that the sheriff cause the defendant to be retained in custody to serve the sentence imposed or until the defendant shall have complied with the conditions of release pending appeal.
 The defendant in open court, gives notice of appeal to the Superior Court. The current pretrial release order is modified as follows:

Date

Signature Of District Court Judge

I certify that this Judgment is a true copy.

Date

Signature Of Deputy/Assistant/CSC

In The General Court Of Justice District Court Division

C 3477253-3

File No. 13-CC-219

NORTH CAROLINA UNIFORM CITATION

Defendant is to Appear in District Court
FLANNERY N.C.

Day Of Week Thurs Month 4 Day 18 Year 13 Time 9:00 AM PM

D.L. D.C.I. Other No. Of Charges _____

Name Of Defendant THE STATE OF NORTH CAROLINA VS.

Address MARK E. BERRY

City [REDACTED] State NC Zip 28734

Drivers License No. [REDACTED] State NC CDL - Class C

Face W Sex M Date Of Birth [REDACTED] Age 44

Social Security No. Of Defendant _____ Telephone No. _____

Vehicle License No. _____ State _____

Vehicle Type _____ Trailer Type _____ GVW _____ Haz. Mat. _____ Make _____ Year _____

Name And Telephone No. Of Defendant's Employer _____

Date Of Arrest & Check Digit No. (As Shown On Fingerprint Card) _____

Officer DEPARTMENTAL USE ONLY No. 5200 Troop -

District CA MURPHY N.C. Patrol

Area Wea. Vis. Traffic Accident Speed Police/Sheriff

On Highway No./Street 376 MOULTANA RD SHP Code _____

In Vicinity/City Of DOUGES MOUNTAIN RD Address Intersection _____

Wil. Chemical Analyst AC Retained

ORIGINAL-COURT COPY

STATE OF NORTH CAROLINA MALDEN County

The undersigned officer has probable cause to believe that on or about 4/18/13 at 151 day of APRIL 2013 in the named county, the named defendant did unlawfully and wilfully operate a (motor) vehicle on a (street or highway) (public vehicular area) _____ MPH in a _____ MPH zone, G.S. 20-141, _____ about the defendant's body, G.S. 20-155.2A.

1. At a speed of _____

2. In forward motion without having the provided seat belt properly fastened about the defendant's body, G.S. 20-155.2A.

3. By transporting a passenger of less than 16 years of age without having the passenger in a (weight appropriate child passenger restraint system) (seat belt), G.S. 20-137.1. [NOTE: If under age five and less than 40 pounds, a child passenger restraint system is required.]

4. By transporting a child of less than five years of age and less than 40 pounds in weight without the child being secured in the rear seat, when the vehicle was equipped with an active passenger-side front air bag and the vehicle had a rear seat, G.S. 20-137.1.

5. While subject to an impounding substance, G.S. 20-138.1.

6. Without being licensed as a driver by the Division of Motor Vehicles of North Carolina, G.S. 20-7(a).

7. While the defendant's drivers license was revoked, G.S. 20-28.

8. While displaying an expired registration plate on the vehicle knowing the same to be expired, G.S. 20-111(b).

9. Without displaying thereon a current approved inspection certificate, such vehicle requiring registration in North Carolina, G.S. 20-182.

Month expired _____

10. By failing to see before (starting) (stop sign) (turning from a direct line) (pass stop) movement could be made in safety, G.S. 20-154.

11. By failing to stop at a duly erected (stop sign) (warning red light), G.S. 20-158.

12. By entering an intersection while a stop light was emitting a steady red light for traffic in defendant's direction of travel, G.S. 20-158.

13. By failing to yield right of way in obedience to a duly erected (stop sign) (warning red light) (yield sign), G.S. 20-158, -158.1.

14. (Possess an open container of) (consume) an alcoholic beverage in the passenger area of a motor vehicle, G.S. 20-139.7(a)(1) [NOTE: Strike through "operate a (motor) vehicle" and "public vehicular area" at top of citation.]

15. DID OPERATE AND PLACE INTO OPERATION AN ELECTRONIC MACHINE OR DEVICE TO

16. And on or about _____ (a) (p) m, _____ in the named county, the named defendant did unlawfully and wilfully operate a (motor) vehicle on a (street or highway) (public vehicular area) _____

CONDUCT A SWEEPSTAKES THROUGH THE USE OF AN ELECTRONIC DISPLAY

74-306-4 (B2C1)

Date 4/18/13 Signature [Signature]

Date 4-18-13 Signature [Signature]

I acknowledge receipt of this Citation and I promise to appear in the named court at the time and place designated herein to answer the charge(s). I understand that my failure to appear or to dispose of this Citation by other acceptable legal means, such as waiver, will result in my operator's license issued by my state of residence being suspended until I have done so. Also, I may go before a magistrate and make bail in lieu of my personal recognizance.

NOTE: (If DWI, use AOC-CR-342 (active) or AOC-CR-310 (probation). If active sentence to jail, use AOC-CR-342. If suspended probation, use AOC-CR-310.)

MAGISTRATE'S ORDER - MISDEMEANOR ONLY

The named defendant has been arrested without a warrant and there is probable cause for the defendant's detention on the stated charges. This Magistrate's Order is issued upon information furnished under oath by the named officer. A copy of this Order has been delivered to the defendant.

Date

Signature Of Magistrate/Deputy/Assistant/CSC

COURT USE ONLY

District Attorney _____ Attorney For Defendant At Time Of Trial Or Plea _____

Appointed
 Retained
 Waived

PRIOR CONVICTIONS:
No./Level: 0 I (0) II (1-4) III (5+)

PLEA: guilty/resp. no contest
VERDICT/FINDING: guilty/resp. not guilty/resp.

JUDGMENT: The defendant appeared in open court and freely, voluntarily and understandingly entered the above plea; on the verdict/finding, it is ORDERED that the defendant: pay costs and a fine/penalty of \$ _____ be imprisoned for a term of _____ days in custody of the sheriff. Pretrial credit _____ days served. The Court finds that a longer shorter period of probation than specified in G.S. 15A-1343.2(d), is necessary. Execution of sentence is suspended and the defendant is placed on unsupervised probation for _____ months, subject to the following conditions: (1) that he/she abide by all regular conditions of unsupervised probation; (2) pay costs and a fine/penalty of \$ _____; (3) surrender his/her drivers license and not operate a motor vehicle for a period of _____ or until relicensed by DMV, whichever is later, except as may be permitted in a limited driving privilege; (4) Other: _____

It is ORDERED that this: Judgment is continued upon payment of costs. case be consolidated for judgment with _____
 sentence is to run at the expiration of the sentence in _____
 COMMITMENT: It is ORDERED that the Clerk deliver two certified copies of this Judgment and Commitment to the sheriff and that the sheriff cause the defendant to be retained in custody to serve the sentence imposed or until the defendant shall have complied with the conditions of release pending appeal.
 The defendant in open court, gives notice of appeal to the Superior Court. The current pretrial release order is modified as follows: _____

Date _____ Signature Of District Court Judge _____ I certify that this Judgment is a true copy. _____ Date _____ Signature Of Deputy/Assistant/CSC _____

In The General Court Of Justice District Court Division

3471255-X

File No. 13-CR-521

NORTH CAROLINA UNIFORM CITATION

Defendant is To Appear In District Court **FRANKLIN** N.C.

Day Of Week **Thurs** Month **4** Day **18** Year **13** Time **9:00** AM PM

ET D.L. D.C.L. Other _____ No. Of Charges _____

THE STATE OF NORTH CAROLINA VS.

Name Of Defendant **MARLE E. BERRY**

Address **211 _____**

City _____ State **NC** Zip **2878P**

Drivers License No. _____ State **NC** CDL **-** Class **L**

Race **W** Sex **M** Date Of Birth _____ Age **40**

Social Security No. Of Defendant _____ Telephone No. _____

Vehicle License No. _____ State _____

Vehicle Type _____ Trailer Type _____ CMV _____ Haz. Matl _____ Make _____ Year _____

Name And Telephone No. Of Defendant's Employer _____

Date Of Arrest & Check Digit No. (as Shown On Fingerprint Card) _____

DEPARTMENTAL USE ONLY

Officer **CA MURRAY** No. **5704** Troop _____

District **CA** N.C. Patrol **WATER** **6** **50** Police/Shift _____

Area **W** Vis. Traffic Accident _____ Speed _____

On Highway No./Street **376** **POUNDRIDGE MOUNTAIN** S.H.P. Code _____

In Vicinity/City Of _____ Annual Intercession _____

Wkt. Chemical Analyst AC Released

ORIGINAL-COURT COPY

STATE OF NORTH CAROLINA **WYCON** County

The undersigned officer has probable cause to believe that on or about **4/18/13** at **08:00** a.m. the **15th** day of **MARBLE** **BERRY** (a) (a) m. in the named county, the named defendant did unlawfully and willfully operate a (motor) vehicle on a (street or highway) (public vehicular area) _____

1. At a speed of _____ MPH in a _____ MPH zone, G.S. 20-141.
 2. In forward motion without having the provided seal ball properly fastened about the defendant's body, G.S. 20-135.2A.
 3. By transporting a passenger of less than 16 years of age without having the passenger in a weight appropriate child passenger restraint system (seat belt), G.S. 20-137.1. (NOTE: If under age five and less than 40 pounds, a child passenger restraint system is required.)
 4. By transporting a child of less than five years of age and less than 40 pounds in weight without the child being secured in the rear seat, when the vehicle was equipped with an active passenger-side front air bag and the vehicle had a rear seat, G.S. 20-137.1.
 5. Without being licensed as a driver by the Division of Motor Vehicles of North Carolina, G.S. 20-7(e).
 6. While the defendant's drivers license was revoked, G.S. 20-28.
 7. While displaying an expired registration plate on the vehicle knowing the same to be expired, G.S. 20-111(2).
 8. Without displaying thereon a current approved inspection certificate, such vehicle requiring registration in North Carolina, G.S. 20-183.2.
 9. Month expired _____
 10. By failing to see before (standing) (stop sign) (turning from a direct line) that such movement could be made in safety, G.S. 20-154.
 11. By failing to stop at a duly erected (stop sign) (flashing red light), G.S. 20-158.
 12. By entering an intersection while a stop light was emitting a steady red light for traffic in defendant's direction of travel, G.S. 20-158.
 13. By failing to yield right of way in obedience to a duly erected (stop sign) (flashing red light) (yield sign), G.S. 20-158-158.1.
 14. (Possess an open container of) (Consume) an alcoholic beverage in the passenger area of a motor vehicle, G.S. 20-138.7(a1). (NOTE: Strike through "operate a (motor) vehicle" and "public vehicular area" at top of citation.)
 15. **DID PROMOTE, OPERATE, OR CONTROL A SERVER BASED ELECTRONIC GAMES PROMOTION**
 16. And on or about _____ (a) (a) m. _____ in the named county, the named defendant did unlawfully and willfully operate a (motor) vehicle on a (street or highway) (public vehicular area) _____

PROMOTION

G.S. 14-306.3(a)

Date **4/18/13** Signature Of Officer **CA MURRAY**

I acknowledge receipt of this Citation and I promise to appear in the named court at the time and place designated herein to answer the charge(s). I understand that my failure to appear or to dispute by other acceptable legal means, such as waiver, will result in this operator's license issued by my state of residence being suspended until I have done so. Also, I may go before a magistrate and make bail in lieu of my personal recognizance.

Date **4-18-13** Signature Of Defendant _____

STATE OF NORTH CAROLINA

File No.

13CR218, 219, 220

MACON County

In The General Court Of Justice
 District Superior Court Division

STATE VERSUS

Name Of Defendant

MARK BERRY

Race

W

Sex

M

11-19-1968

Social Security No.

JUDGMENT/ORDER OR
OTHER DISPOSITION

Attorney For State

T. JASON ARNOLD

Def. Found
Not Indigent

Def. Waived
Attorney

Attorney For Defendant

Appointed Retained

Offense

OPERATE GAMING MACHINE; CONDUCTING A SWEEPSTAKE; PROMOTION OF A SWEEPSTAKE

NOTE: (For use in recording
Misdemeanor conviction levels under
S.S.A.)

PLEA

VERDICT

PRIOR CONVICTIONS:

No./Level 0 I (0) II (1-4) III (5+)

Guilty/Responsible No Contest

Guilty/Responsible No Contest

Not Guilty/Not Responsible

Guilty/Responsible

Guilty/Responsible

Not Guilty/Not Responsible

MISD. CLASS: 1 2 3

MISD. CLASS: 1 2 3

EVIDENCE TO BE RETURNED

Date

04/18/2013

Name Of Presiding Judge (Type Or Print)

HONORABLE DONNA F. FORGA

Signature Of Presiding Judge

APPEAL ENTRIES

- The defendant gives notice of appeal from the judgment of the District Court to the Superior Court.
- The current pretrial release order is modified as follows:

- The defendant gives notice of appeal from the judgment of the Superior Court to the Appellate Division. Appeal entries and any conditions of post conviction release are set forth on form AOC-CR-350.

Date

Name Of Presiding Judge (Type Or Print)

Signature Of Presiding Judge

STATE OF NORTH CAROLINA

File No.

13-CR-221

MACON County

In The General Court Of Justice
District Superior Court Division

STATE VERSUS

Name Of Defendant

MARK E. BERRY

JUDGMENT/ORDER OR OTHER DISPOSITION

Race

W

Sex

M

Date Of Birth

Social Security No.

Attorney For State

T. JASON ARNOLD

Def. Found Not Indigent

Def. Waived Attorney

Attorney For Defendant

GEORGE HYLER

Appointed Retained

Offense

NOTE: (For use in recording Misdemeanor conviction levels under S.S.A.)

PLEA

VERDICT

PRIOR CONVICTIONS:

No./Level 0 I (0) II (1-4) III (5+)

Guilty/Responsible No Contest

Guilty/Responsible

MISD. CLASS: 1 2 3

Guilty/Responsible No Contest

Guilty/Responsible

MISD. CLASS: 1 2 3

Not Guilty/Not Responsible

Not Guilty/Not Responsible

NOTION TO DISMISS AT END OF STATE'S EVIDENCE ALLOWED

Date

04/18/2013

Name Of Presiding Judge (Type Or Print)

HONORABLE DONNA F. FORGA

Signature Of Presiding Judge

Handwritten signature of Donna F. Forga

APPEAL ENTRIES

- The defendant gives notice of appeal from the judgment of the District Court to the Superior Court.
The current pretrial release order is modified as follows:

- The defendant gives notice of appeal from the judgment of the Superior Court to the Appellate Division. Appeal entries and any conditions of post conviction release are set forth on form AOC-CR-350.

Date

Name Of Presiding Judge (Type Or Print)

Signature Of Presiding Judge