

Attachment 9

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STATE OF NORTH CAROLINA **FILED** IN THE GENERAL COURT OF JUSTICE
COUNTY OF CHEROKEE 2014 MAR 13 PM 2: 21 DISTRICT COURT DIVISION
CASE NO. 2013 CR 00440

CHEROKEE COUNTY, C.S.C.

THE STATE OF NORTH CAROLINA Bq

Plaintiff,

v.

JUDGMENT/DISMISSAL

TRUMAN FREDRICK KELLY,

Defendant.

THIS CAUSE coming on to be heard before the undersigned Judge presiding, and his Honor, after reviewing the Motion to Dismiss does make the following FINDINGS OF FACT:

1. The Court viewed the Motion to Dismiss and attached documents.
2. The undersigned Judge was the trial Judge in the matter of State v. Laudecio which was tried November 5th, 2013 in Cherokee County District Court.
3. Based upon the statements of counsel for both parties at the hearing of this Motion, the kiosks in this case are identical to the kiosks in the Laudecio matter, and the operating system is the same operating system as in the Laudecio matter.
4. The Court finds that it is in the best interest of justice that these matters be dismissed.

IT IS NOW THEREFORE Ordered, Adjudged, and Decreed:

1. The warrants against Truman Fredrick Kelly be, and they are hereby dismissed.

THIS the 12 day of March, 2014.

RAH

THE HONORABLE RICHLYN D. HOLT
DISTRICT COURT JUDGE PRESIDING
CHEROKEE COUNTY, NORTH CAROLINA