District Attorney's Office
State of North Carolina
26th Prosecutorial District
Mecklenburg County

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NEWS RELEASE

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Trials, motions, and guilty pleas with Drug Prosecution Team, July 27-31

The DA's drug prosecution team held court in three courtrooms during the week of July 27 to July 31, 2009. The Honorable Beverly T. Beal, Superior Court Judge, presided over criminal courtroom 5370. The Honorable Richard D. Boner, Superior Court Judge, presided over criminal courtroom 5150. The Honorable Eric L. Levinson, Superior Court Judge, presided over criminal courtroom 5130 (beginning Tuesday, after finishing his original assignment in civil court on Monday).

TRIAL: Loy Wright, age 44, was tried before a jury for 1) sale of cocaine, 2) possession with intent to sell or deliver cocaine and 3) being a habitual felon. The jury found Wright guilty of all three counts and he was sentenced by Judge Boner to 151-191 months in prison.

TRIAL: Earl Davis, age 54, was tried before a jury for 1) possession with intent to sell or deliver cocaine, 2) resisting a public officer, and 3) being a habitual felon. The jury found Davis guilty of all three counts. Davis then entered a plea of guilty to another incident for charges of 1) possession with intent to sell or deliver cocaine, 2) possession of drug paraphernalia, and 3) resisting a public officer. Judge Levinson sentenced the defendant to 105-135 months in prison.

TRIAL: Bobby Henderson, age 22, was tried before a jury for possession of cocaine. The jury found Henderson guilty and Judge Boner sentenced him to 8-10 months in prison.

TRIAL: Antoine Morris, age 25, was tried before a jury for 1) possession with intent to sell or deliver cocaine and 2) possession of MDMA. The jury failed to reach a unanimous verdict as to Morris' guilt and Judge Beal declared a mistrial.

Several other defendants pled guilty before their trials began and some pre-trial motions were argued; some of them included:

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The defense filed a pre-trial motion to suppress the evidence seized from Carlton Stanley, age 50, who was charged with 1) trafficking in cocaine, 2) misdemeanor possession of marijuana and 3) being a habitual felon. After arguments from both sides, Judge Beal granted the defendant's motion to suppress. The State, through the District Attorney's Office, entered notice of appeal. *Note: The North Carolina Attorney General's Office represents the State of North Carolina on all criminal appeals. If the trial judge's decision is upheld by the appellate court(s), the State must dismiss the charges against the defendant unless there is other admissible evidence on which to proceed. If the decision is overturned, the case will be returned to Mecklenburg County Superior Court for trial.*

The defense filed a pre-trial motion to suppress the evidence seized from Demetrius Snell, age 44, who was charged with 1) two counts of trafficking in cocaine and 2) possession with intent to sell or deliver cocaine. After arguments from both sides, Judge Beal denied the defendant's motion to suppress. Snell then pled guilty as charged and Judge Beal consolidated the two trafficking sentences and imposed one 35-42 month prison sentence to be followed by another 8-10 month prison sentence for the possession with intent to sell or deliver cocaine. Snell was also fined $50,000.

Miguel McClain, age 31, pled guilty to 1) possession with intent to sell or deliver cocaine within 1,000 feet of a school, 2) conspiracy to sell cocaine, and 3) being a habitual felon. Judge Beal sentenced the defendant to 100-129 months in prison.

Anthony White, age 46, pled guilty to 1) possession of heroin and 2) possession of drug paraphernalia. White was sentenced by Judge Beal to 12-15 months in prison for possession of heroin and an additional 4 months in prison for possession of drug paraphernalia.

Dwayne Duncan, age 28, pled guilty to attempted trafficking in MDMA. Judge Beal sentenced Duncan to 10-12 months in prison.

Giovanni Serrano, age 25, pled guilty to trafficking in cocaine. Serrano was fined $50,000 and sentenced to 35-42 months in prison by Judge Boner.

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