

# NEWS RELEASE

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**Peter S. Gilchrist, III**  
District Attorney

**August 31, 2009**

## **Trials, motions, and guilty pleas with Drug Prosecution Team, August 24-28**

The Drug Prosecution Team held court in three courtrooms during the week of August 24 to August 28, 2009. Last week, in two courtrooms, The Honorable Joe Crosswhite and The Honorable Theodore S. Royster, Superior Court Judges, presided over criminal courtrooms 5150 and 5370, respectively. Courtroom 5130 is still operating with drug trials before The Honorable Calvin E. Murphy, Superior Court Judge; a news release concerning those cases will be posted at a later date.

The following defendants had a trial, argued a pre-trial motion to suppress evidence, or pled guilty before their trials:

### **Courtroom 5150 Judge Crosswhite**

**TRIAL:** The defense filed a pre-trial motion to suppress the evidence seized from Griss Whitakers, age 33, who was charged with possession with intent to sell or deliver cocaine. After arguments from both sides, Judge Crosswhite denied the defendant's motion to suppress. Whitakers was then tried before a jury. The jury found Whitakers *not guilty*.

**PRE-TRIAL MOTION:** The defense filed a pre-trial motion to suppress the evidence seized from Daniel Forse, age 27, who was charged with 1) possession with intent to sell or deliver cocaine, 2) misdemeanor possession of marijuana, 3) possession of drug paraphernalia and 4) misdemeanor possession of a Schedule IV controlled substance, to wit: xanax. After arguments from both sides, Judge Crosswhite denied the defendant's motion to suppress. Forse then pled guilty as charged and Judge Crosswhite consolidated the charges under the possession with intent to sell or deliver and imposed one 5-6 month prison sentence. Forse received credit for time already served in custody. Forse entered notice of appeal.

**PRE-TRIAL MOTION:** The defense filed a pre-trial motion to suppress the evidence seized from Sigis El-Owl, age 26, who was charged with possession of cocaine. After

arguments from both sides, Judge Crosswhite denied the defendant's motion to suppress. A trial date will be set.

Emanuel Blount, age 20, pled guilty to 1) possession with intent to sell or deliver cocaine, 2) possession with intent to sell or deliver marijuana, 3) misdemeanor possession of marijuana, 4) possession of ecstasy, 4) felony breaking or entering, 5) larceny after breaking or entering. Judge Crosswhite consolidated the charges under the felony breaking or entering offense and sentenced the defendant to 11-14 months in prison. This sentence is to begin at the expiration of the 85-111 month sentence that the defendant is currently serving for robbery with a dangerous weapon.

Isaac Wilson, age 20, pled guilty to 1) possession with intent to sell or deliver cocaine, 2) two counts of possession of drug paraphernalia, 3) possession of cocaine, 4) misdemeanor possession of marijuana, 5) conspiracy to commit robbery with a dangerous weapon and 6) robbery with a dangerous weapon. Judge Crosswhite consolidated the conspiracy and robbery charges and sentenced Wilson to 61-83 months in prison. Judge Crosswhite also consolidated the drug charges under the possession with intent to sell or deliver cocaine and sentenced Wilson to 8-10 months in prison to be served at the end of the robbery sentence.

Rudolph Springer, age 23, pled guilty to 1) trafficking in MDMA and 2) possession with intent to sell or deliver cocaine. Judge Crosswhite consolidated both charges under the trafficking and sentenced the defendant to 35-42 months in prison. Springer was fined \$50,000.

Paul Helms, age 29, pled guilty to possession of cocaine. Judge Crosswhite entered a 90-96 judgment (see [North Carolina General Statutes](#)) and placed the defendant on 18 months of probation.

Brandon Ritch, age 24, pled guilty to possession of ecstasy. Judge Crosswhite sentenced the defendant to 4-5 months, suspended, with 24 months supervised probation.

### **Courtroom 5370 Judge Royster**

PRE-TRIAL MOTION: The defense filed a pre-trial motion to suppress the evidence seized from Bruce Little, age 45, who was charged with 1) possession with intent to sell and deliver cocaine and 2) being a habitual felon. After arguments from both sides, Judge Royster denied the defendant's motion to suppress. The trial was continued until a later trial date.

PRE-TRIAL MOTION: The defense filed a pre-trial motion to suppress the evidence seized from Jerry Whitley, age 30, who was charged with 1) possession of cocaine and 2) possession of marijuana. After arguments from both sides, Judge Royster denied the defendant's motion to suppress. Whitley then pled guilty as charged and Judge Royster sentenced Whitley to 3-4 months, suspended for 18 months of supervised probation

with a further condition that the defendant serve one day in jail before beginning probation. The defendant then entered notice of appeal regarding Judge Royster's denial of Whitley's motion to suppress.

**PRE-TRIAL MOTION:** The defense filed a pre-trial motion to suppress the evidence seized from Gregory Stewart, age 46, who was charged with 1) possession of cocaine and 2) possession of marijuana. After arguments from both sides, Judge Royster denied the defendant's motion to suppress. The trial was continued until a later trial date.

Harold Givings, age 53, pled guilty to 1) possession of cocaine and 2) being a habitual felon. Judge Royster sentenced Givings to 102-132 months in prison.

Gabriel Gutierrez, age 24, pled guilty to trafficking in cocaine. Judge Royster sentenced Gutierrez to 70-84 months in prison and imposed a \$100,000 fine.

Orvon Davis, age 33, pled guilty to 1) conspiracy to sell cocaine and 2) possession with intent to sell or deliver cocaine. Judge Royster sentenced Davis to 13-16 months in prison, suspended for 18 months of supervised probation with the condition that the defendant serves 62 days in jail before probation begins.

Raymond Burke, age 38, pled guilty to 1) possession of MDMA, 2) possession of cocaine, and 3) carrying a concealed weapon – gun. Judge Royster sentenced Burke to 4-5 months in prison to be suspended for 18 months of supervised probation.

Willie Logan, age 52, pled guilty to possession of cocaine. Judge Royster sentenced Logan to 12-15 months in prison to run consecutively to the time that Logan is currently serving in prison for an unrelated charge.

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