

NEWS RELEASE

R. Andrew Murray
District Attorney

February 1, 2016

Trials, guilty pleas lead to convictions of 6 impaired drivers

CHARLOTTE, N.C. – The Mecklenburg County District Attorney's Misdemeanor Appeals Team recently convicted six defendants of driving while impaired. Two were convicted at trial, two pled guilty and another two defendants remanded their cases to District Court for sentencing. The proceedings were held January 25-29, 2016, in courtroom 5170 before The Honorable Jesse B. Caldwell, Superior Court Judge.

The Misdemeanor Appeals Team prosecutes cases in which the defendant was convicted in District Court and then appealed his or her conviction to Superior Court for a jury trial, as allowed under North Carolina law.

Jeffrey Shaver, 28, was tried for driving while impaired. The jury found him *guilty*. Judge Caldwell sentenced Shaver to 30 days in the Mecklenburg County Jail; that sentence was suspended pending his successful completion of 12 months of unsupervised probation and 24 hours of community service.

Peter Glunt, 46, was tried for driving while impaired. The jury found him *guilty*. Judge Caldwell sentenced Glunt to 15 days in the Mecklenburg County Jail; that sentence was suspended pending his successful completion of 12 months of unsupervised probation and 24 hours of community service.

Lewis Smith, 50, pled guilty to habitual driving while impaired. Smith was sentenced to 15-27 months in prison.

Richard Royer, 24, pled guilty to driving while impaired. Royer was sentenced to 12 months in the Mecklenburg County Jail; that sentence was suspended pending his successful completion of 12 months of supervised probation. As a condition of his probation, Royer must serve 7 days in the Mecklenburg County Jail.

Note: Misdemeanors and infractions are originally prosecuted in district court in North Carolina. In criminal district court, a judge determines guilt, not a jury; this is commonly referred to as a "bench trial." However, defendants have a right to appeal a conviction from the district court to the superior court for a trial de novo. The new trial in superior court must be a jury trial, not a bench trial. In a de novo trial, the jury cannot be informed that a district court judge previously found the defendant guilty; further, a record of any evidence, including testimony, from district court may not be introduced. While the DA's Office prosecutes nearly 225,000 misdemeanors and infractions each year in district court in Mecklenburg County, each defendant is entitled to exercise his/her right to appeal to the superior court. When a misdemeanor or infraction occupies the limited time available in our superior courtrooms, it is the intent of the DA's Office to keep the public informed of the results through news

releases like this one. Due to the volume of misdemeanors and infractions prosecuted in district court each day, reports like this are not possible for all of those cases.

// End //

