

NEWS RELEASE

R. Andrew Murray
District Attorney

April 8, 2011

Five men convicted in Superior Court for domestic violence

Five defendants opted to plead guilty to domestic violence offenses rather than face jury trial in Mecklenburg County Superior Court. The Honorable Robert T. Sumner, Superior Court Judge, presided. The defendants entered their guilty pleas in courtroom 5170 on the days their cases were scheduled for trial. Another defendant was tried and acquitted by the jury. The defendants were:

Lafayette Burney, 24, pled guilty to one count of felony assault by strangulation. Burney was sentenced to 8-10 months in prison, that sentence was suspended pending successful completion of 18 months of supervised probation and a certified batterer's intervention program.

Theodis Goodwin, 52, pled guilty to assault on a female. Goodwin was sentenced to 150 days in prison, that sentence was suspended pending his successful completion of 18 months of supervised probation and a certified batterer's intervention program.

Demetrius Houston, 27, was tried for assault on a female and the jury returned a verdict of *not guilty*.

Robby Jones, 28, pled guilty to one count of felony habitual misdemeanor assault. Johnson was sentenced to 9-11 months in prison, that sentence was suspended pending his successful completion of 36 months of supervised probation and a certified batterer's intervention program.

Gerald Sykes, 38, pled guilty to one count of assault on a female. Sykes was sentenced to 75 days in prison, that sentence was suspended pending successful completion of 12 months supervised probation and a certified batterer's intervention program.

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 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.

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