

# NEWS RELEASE

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## Misdemeanor Appeals Team convicts 19 during trial week

CHARLOTTE, N.C. – During the week of April 21, 2014, the Mecklenburg County District Attorney's Misdemeanor Appeals Team tried two defendants and convicted 18 others who pled guilty or remanded their cases to District Court. The proceedings were held in Mecklenburg County Superior Court before The Honorable Jesse B. Caldwell, III, The Honorable W. Robert Bell and The Honorable Richard D. Boner, Superior Court Judges.

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.

Paul Stancil, 37, was tried for assault by pointing a gun. The jury found him *guilty*. Judge Caldwell sentenced Stancil to 150 days in the Mecklenburg County jail; that sentence was suspended pending his successful completion of 24 months of supervised probation. As a condition of his probation, Stancil must serve 37 days in jail.

Teresa Council, 51, was tried for assault with a deadly weapon. The jury returned a verdict of *not guilty*.

Among those who pled guilty were:

Pamela Harris, 48, pled guilty to hit and run (property damage). Judge Bell sentenced Harris to 20 days in the Mecklenburg County jail.

Antoine Rainey, 37, pled guilty to assault on a government official. Judge Boner sentenced Rainey to 85 days in custody.

Rodney Roseboro, 37, pled guilty to assault on a female. Judge Caldwell sentenced Roseboro to 75 days in the Mecklenburg County jail; that sentence was suspended pending his successful completion of 36 months of supervised probation.

Kurtis VanScoy, 42, pled guilty to driving while impaired. Judge Caldwell sentenced VanScoy to 6 months in the Mecklenburg County jail; that sentence was suspended pending his successful completion of 24 months of supervised probation.

*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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