

# NEWS RELEASE

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## Jury convicts man of break-in; 6 others plead guilty

CHARLOTTE, N.C. – A jury convicted a man of breaking into a Charlotte apartment, and six other defendants pled guilty to property crimes during the week of April 27, 2015. The defendants were prosecuted by the Mecklenburg County District Attorney's Crimes Against Property Team. The proceedings were held in courtrooms 5150 and 5370 before The Honorable Linwood O. Foust and The Honorable Robert T. Sumner, Superior Court Judges.

James Lockett, 49, was tried for 1) felony breaking or entering, 2) larceny after breaking or entering and 3) injury to real property. The jury found him *guilty* of felony breaking or entering and *not guilty* of the remaining charges. Judge Foust sentenced Lockett to 6-17 months in prison; that sentence was suspended pending Lockett's successful completion of 18 months of supervised probation. As a condition of his probation, Lockett must serve 60 days in the Mecklenburg County Jail. In November 2012, the maintenance manager for apartments located on Spring Street in Charlotte reported that someone had broken into an apartment and removed several appliances. Responding officers also found that copper piping and wiring from the water heater, air conditioning unit and restrooms had been removed. A fingerprint discovered on the inside of a window in the apartment linked Lockett to the scene.

When the State called Dennis Rann, 33, for trial, he pled guilty as charged to 1) breaking or entering a motor vehicle and 2) misdemeanor larceny. Rann was sentenced to 7-18 months in prison. Rann was also ordered to pay the victim \$402.56 in restitution.

Darnell Austin, 25, pled guilty to possession of a stolen motor vehicle. He was sentenced to 7-18 months in prison and ordered to pay \$800 in restitution to the victim. In February 2014, the victim's car was stolen when she started her car to warm it up for her drive home from work and then stepped away to speak with customers. Two days later, Austin was involved in a wreck while driving the victim's car. He approached the other driver, offered his driver's license and pleaded with the driver not to call the police because the car he was driving was stolen. In return for the driver not calling police, Austin offered to take the stolen car to a chop shop and give the driver the cash he received. Without telling Austin, the driver called 911. Police responded and took Austin into custody.

Tyrie Ervin, 32, pled guilty to possession of a firearm by a convicted felon. He was sentenced to 12-24 months in prison; that sentence was suspended pending his successful completion of 18 months of supervised probation.

Nathaniel Lott, 45, pled guilty to misdemeanor larceny by trick. He was sentenced to 120 days in the Mecklenburg County Jail; that sentence was suspended pending his successful

completion of 18 months of supervised probation. As a condition of his probation, Lott must pay the victim \$16,312.50 in restitution.

Ikenna Dimgba, 18, pled guilty to accessory after the fact to felony breaking or entering. Dimgba was sentenced to 45 days 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, Dimgba must pay the victim \$4,410 in restitution.

Derico Misenhaimer, 17, pled guilty to misdemeanor hit and run. Misenhaimer was sentenced to 45 days 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, Misenhaimer must pay the victim \$1,900 in restitution.

One defendant filed a motion to suppress certain evidence seized or obtained by law enforcement, alleging violations of the defendant's legal rights. After hearing testimony and arguments from the defense and the Assistant District Attorney, Judge Foust granted the defendant's motion, and the State then dismissed the case.

*Note: For more information about the District Attorney's Office, visit [www.charmeckda.com](http://www.charmeckda.com). For updates and other information, "like" the DA's Office on Facebook at [www.facebook.com/charmeckda](https://www.facebook.com/charmeckda) and follow us on Twitter: @CharMeckDA.*

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