

NEWS RELEASE

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DA's Misdemeanor Appeals Team convicts 19 DWI offenders

CHARLOTTE, N.C. – Over the course of a week, the Mecklenburg County District Attorney's Misdemeanor Appeals Team convicted 22 defendants of misdemeanor offenses. Twelve of those defendants entered guilty pleas, and 10 remanded their cases to District Court for sentencing. Of those convicted, 19 were convicted of driving while impaired. The proceedings were held May 18-22, 2015, in courtrooms 5170 and 6150 before The Honorable Daniel A. Kuehnert and The Honorable Lisa C. Bell, 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.

The following defendants were among those who pled guilty:

George Fair, 38, pled guilty to driving while impaired. Fair was sentenced to 6 months in the Mecklenburg County Jail; that sentence was suspended pending his successful completion of 18 months of supervised probation and 72 hours of community service.

Julius Massey, 37, pled guilty to driving while impaired. Massey was sentenced to 6 months in the Mecklenburg County Jail; that sentence was suspended pending his successful completion of 12 months of supervised probation and 72 hours of community service.

Rayshawn Jackson, 18, pled guilty to disorderly conduct. Jackson was sentenced to 25 days in the Mecklenburg County Jail.

Christina Black, 29, pled guilty to driving while impaired. Black was sentenced to 20 days in the Mecklenburg County Jail; that sentence was suspended pending her successful completion of 12 months of unsupervised probation and 24 hours of community service.

Sumit Mukerji, 34, pled guilty to driving while impaired. Mukerji was sentenced to 10 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.

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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